

# **Al Rajhi Bank**

## **Ex. 95**

This Transcript Contains Confidential Material

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3 IN RE: TERRORIST ATTACKS ON )  
4 SEPTEMBER 11, 2001 )  
5 )  
6 Underwriting Members of Lloyd's )  
7 Syndicate 2, et al., v. )  
8 Al Rajhi Bank, et al., ) 03 MDL 1570  
9 No. 16-cv-07853 ) (GBD) (SN)  
10 )  
11 Addesso, et al. v. Kingdom of ) ECF Case  
12 Saudi Arabia, et al., )  
13 No. 16-cv-09937 )  
14 )  
15 Aguilar, et al. v. Kingdom of )  
16 Saudi Arabia, et al., )  
17 No. 16-cv-09663 )  
18 )  
19 Hodges, et al. v. Kingdom of )  
20 Saudi Arabia, et al., )  
21 No. 17-cv-00117 )  
22 )  
23 Aiken, et al. v. Kingdom of )  
24 Saudi Arabia, et al., )  
25 No. 17-cv-00450 )  
26 )  
27 Charter Oak Fire Insurance Co., )  
28 et al. v. Al Rajhi Bank, et )  
29 al., No. 17-cv-02651 )  
30 )  
31 Abarca, et al. v. Kingdom of )  
32 Saudi Arabia, et al., )  
33 No. 17-cv-03887 )  
34 )  
35 Arrowood Indemnity Co., et al. )  
36 v. Kingdom of Saudi Arabia, et )  
37 al., No. 17-cv-03908 )  
38 )  
39 Abedhajajreh, et al. v. Kingdom )  
40 of Saudi Arabia, et al., )  
41 No. 17-cv-06123 )  
42 )  
43 Muenchener )  
44 Rueckversicherungs-Gesellschaft )  
45 Aktiengesellschaft in Muenchen, )  
46 et al. v. Kingdom of Saudi )  
47 Arabia, et al., )  
48 Case No. 17-cv-07914 )

)

This Transcript Contains Confidential Material

1 Abbate, et al. v. Kingdom of )  
Saudi Arabia, et al., )  
2 No. 17-cv-08617 )

3

THURSDAY, FEBRUARY 8, 2024

4

THIS TRANSCRIPT CONTAINS CONFIDENTIAL MATERIAL

5

6

- - -

7

Remote videotaped deposition of

8

Aimen Dean, held at the location of the

9

witness in Saudi Arabia, commencing at

10

2:31 p.m. Arabia Standard Time, on the above

11

date, before Carrie A. Campbell, Registered

12

Diplomate Reporter, Certified Realtime

13

Reporter, Illinois, California & Texas

14

Certified Shorthand Reporter, Missouri,

15

Kansas, Louisiana & New Jersey Certified

16

Court Reporter.

17

- - -

18

GOLKOW LITIGATION SERVICES

19

877.370.DEPS

deps@golkow.com

20

21

22

23

24

25



This Transcript Contains Confidential Material

1           R E M O T E       A P P E A R A N C E S :

2

3

COZEN O'CONNOR P.C.

4

BY: SEAN P. CARTER

scarter1@cozen.com

5

SCOTT TARBUTTON

starbutton@cozen.com

6

1650 Market Street, Suite 2800

Philadelphia, Pennsylvania 19103

7

(215) 665-2000

Counsel for Lloyd's Syndicate 2 and

8

Muenchener Plaintiffs

9

10

SHEPS LAW GROUP

BY: ROBERT C. SHEPS

11

rsheps@shepslaw.com

25 High Street

12

Huntington, New York 11743

(631) 249-5600

13

Counsel for Charter Oak Plaintiff

14

15

WHITE & CASE LLP

BY: REUBEN SEQUEIRA

16

rsequeira@whitecase.com

CHRISTOPHER M. CURRAN

17

ccurran@whitecase.com

NICOLE ERB

18

nerb@whitecase.com

MICHAEL MAHAFFEY

19

michael.mahaffey@whitecase.com

701 Thirteenth Street, NW

20

Washington, DC 20005-3807

(202) 626-3600

21

Counsel for Al Rajhi Bank

22

23

24

25



This Transcript Contains Confidential Material

1 JONES DAY  
BY: LESLEY E. ROE  
2 lroe@jonesday.com  
51 Louisiana Avenue, N.W.  
3 Washington, D.C. 20001-2113  
(202) 879-3939  
4 Counsel for Dubai Islamic Bank

5  
6 LEWIS BAACH KAUFMANN MIDDLEMISS PLLC  
BY: AISHA E.R. BEMBRY  
7 aisha.bembry@lbkmlaw.com  
SUMAYYA KHATIB  
8 sumayya.khatib@lbkmlaw.com  
E. JON A. GRYSKIEWICZ  
9 1101 New York Avenue, NW, Suite 1000  
Washington, D.C. 20005  
10 (202) 833-8900  
Counsel for The Muslim World League,  
11 the International Islamic Relief  
Organization  
12

13  
14 GOETZ & ECKLAND  
BY: FREDERICK J. GOETZ  
fgoetz@goetzeckland.com  
15 615 1st Avenue NE, Suite 425  
Minneapolis, Minnesota 55413  
16 (612) 874-1552

17  
18 and

19 THE LAW FIRM OF OMAR T. MOHAMMEDI, LLC  
BY: OMAR T. MOHAMMEDI  
20 omohammedi@otmlaw.com  
MUSTAPHA NDANUSA  
21 mndanusa@otmlaw.com  
233 Broadway, Suite 801  
22 New York, New York 10279  
(212) 725-3846  
23 Counsel for World Assembly of Muslim  
Youth  
24  
25

This Transcript Contains Confidential Material

1 SALERNO & ROTHSTEIN  
2 BY: PETER C. SALERNO  
3 peter.salerno.law@gmail.com  
4 AMY ROTHSTEIN  
5 amyrothsteinlaw@gmail.com  
6 221 Schultz Hill Road  
7 Pine Plains, New York 12567  
8 (518) 771-3050  
9 Counsel for Yassin Kadi

10 ALSO PRESENT:

11 RAYMOND RIVERA, staff, Cozen  
12 O'Connor

13 MYA KLAGGER, Law Clerk, White & Case

14 ABDULRAHMAN AL MUSSAED, foreign  
15 litigation department, Al Rajhi Bank

16 TRIAL TECHNICIAN:

17 GINA VELDMAN, Precision Trial Services

18 VIDEOGRAPHER:

19 DAVID LANE,  
20 Golkow Litigation Services

21 - - -



This Transcript Contains Confidential Material

|    |                      |                                  |      |
|----|----------------------|----------------------------------|------|
| 1  | INDEX                |                                  |      |
| 2  |                      |                                  | PAGE |
| 3  | APPEARANCES.....     |                                  | 3    |
| 4  | EXAMINATIONS         |                                  |      |
| 5  | BY MR. CARTER.....   |                                  | 9    |
| 6  | BY MR. SEQUEIRA..... |                                  | 317  |
| 7  | BY MR. CARTER.....   |                                  | 320  |
| 8  |                      |                                  |      |
| 9  | EXHIBITS             |                                  |      |
| 10 | No.                  | Description                      | Page |
| 11 | 1                    | "Nine Lives, My Time as MI6's    | 58   |
| 12 |                      | Top Spy Inside al-Qaeda," Aimen  |      |
| 13 |                      | Dean, Paul Cruickshank and Tim   |      |
| 14 | 2                    | The 9/11 Commission Report, page | 148  |
| 15 |                      | 56, page 467, Notes to Chapter 2 |      |
| 16 | 3                    | June 19, 2008, "Treasury         | 173  |
| 17 |                      | Designates Al Haramain Islamic   |      |
| 18 |                      | Foundation"                      |      |
| 19 | 4                    | Government's Evidentiary Proffer | 209  |
| 20 |                      | Supporting the Admissibility of  |      |
| 21 |                      | Coconspirator Statements,        |      |
| 22 |                      | PEC-KSA-002014 - PEC-KSA-002114  |      |
| 23 | 5                    | "Islamic International Brigade   | 217  |
| 24 |                      | (IIB) "                          |      |
| 25 | 6                    | The 9/11 Commission Report, page | 237  |
|    |                      | 58, page 467, Notes to Chapter 2 |      |
|    | 7                    | "The Kingdom of Saudi Arabia and | 294  |
|    |                      | Counterterrorism"                |      |



This transcript contains Confidential Material

|    |  |  |      |
|----|--|--|------|
| 1  | PREVIOUSLY MARKED EXHIBITS             |  |      |
| 2  | No.                                    | Description                                      | Page |
| 3  | Pasley 3                               | Expert Report of Jonathan M. Winer, Relating to: | 104  |
| 4  |  | Underwriting Members of                          |      |
| 5  |  | Lloyd's Syndicate 2, et al.,                     |      |
| 6  |  | v. ARB, et al, No 16-cv-07853                    |      |
| 6  | Lormel 18                              | June 2, 2004, "Additional                        | 178  |
| 7  |  | Al-Haramain Branches, Former                     |      |
| 8  |  | Leader Designated by Treasury                    |      |
| 9  |  | as Al Qaida Supporters,                          |      |
| 10 |  | Treasury Marks Latest Action                     |      |
| 11 |  | in Joint Designation with                        |      |
| 12 |  | Saudi Arabia"                                    |      |
| 10 | ARB 28                                 | August 3, 2006, "Treasury                        | 181  |
| 11 |  | Designates Director, Branches                    |      |
| 12 |  | of Charity Bankrolling Al                        |      |
| 13 |  | Qaida Network"                                   |      |
| 12 | Lormel 9                               | "Redacted Assessment of Saudi                    | 192  |
| 13 |  | Arabian Support to Terrorism                     |      |
| 14 |  | and the Counterintelligence                      |      |
| 15 |  | Threat to the United States,                     |      |
| 16 |  | EO14040-003414 -                                 |      |
| 17 |  | EO14040-003442                                   |      |
| 16 | Lormel 17                              | Transcript of Hearing before                     | 281  |
| 17 |  | the Subcommittee on                              |      |
| 18 |  | Counterterrorism and                             |      |
| 19 |  | Intelligence of the Committee                    |      |
| 20 |  | on Homeland Security, House                      |      |
| 21 |  | of Representatives, 112th                        |      |
| 22 |  | Congress, Second Session,                        |      |
| 23 |  | May 18, 2012                                     |      |
| 21 | (Exhibits attached to the deposition.) |  |      |
| 22 | CERTIFICATE.....                       |  | 325  |
| 23 | ACKNOWLEDGMENT OF DEPONENT.....        |  | 327  |
| 24 | ERRATA.....                            |  | 328  |
| 25 | LAWYER'S NOTES.....                    |  | 329  |

1 VIDEOPHOTOGRAPHER: We are now on  
2 the record. My name is David Lane,  
3 videographer for Golkow Litigation  
4 Services.

5 Today's date is February 8,  
6 2024. Our time on the record is  
7 2:31 p.m.

8 This remote deposition is  
9 taking place in the matter of  
10 Terrorist Attacks on September 11,  
11 2001, MDL Number 1570.

12 Our deponent today is Aimen  
13 Dean.

14 All parties to this deposition  
15 are appearing remotely and have agreed  
16 to the witness being sworn in  
17 remotely.

18 Due to the nature of remote  
19 reporting, please pause briefly before  
20 speaking to ensure all parties are  
21 heard completely.

22 Our counsel will be noted on  
23 the stenographic record.

24 The court reporter today is  
25 Carrie Campbell, who will now swear in



1           our witness.

2

3                           AIMEN DEAN,

4       of lawful age, having been first duly sworn  
5       to tell the truth, the whole truth and  
6       nothing but the truth, deposes and says on  
7       behalf of the Plaintiffs, as follows:

8

9                           VIDEOGRAPHER: Please begin.

10

11                          DIRECT EXAMINATION

12       QUESTIONS BY MR. CARTER:

13               Q.       Good afternoon, I guess, in  
14       Saudi Arabia, Mr. Dean.

15                       MR. SEQUEIRA: Sean, should we  
16       make our appearances on the record?

17                       MR. CARTER: Okay. They had --  
18       they had mentioned that they were  
19       being made on the stenographic record,  
20       but sure.

21                       I'm Sean Carter from Cozen  
22       O'Connor. With me is my colleague  
23       Scott Tarbutton, and we represent  
24       plaintiffs.

25                       MR. SEQUEIRA: And this is



This Transcript Contains Confidential Material

1 Reuben Sequeira of White & Case for  
2 Al Rajhi Bank and witness.

3 I'm joined in the room by my  
4 colleagues Christopher Curran, Nicole  
5 Erb, Mya Klagger. My colleague  
6 Michael Mahaffey is appearing  
7 virtually.

8 We also have in the room a  
9 representative from the Al Rajhi Bank  
10 legal department, Abdulrahman Al  
11 Mussaed.

12 And actually, Sean, before you  
13 get started with questions, I do have  
14 a couple of matters to cover off on  
15 the record.

16 First, based on our  
17 stipulation, we're informing you  
18 pursuant to Rule 26(a)(2)(b) and  
19 Rule 26(b)(4)(c) that for Mr. Dean's  
20 study and testimony in this case, his  
21 total compensation amounts to  
22 approximately \$435,500, and that  
23 reflects 26 point -- 264.5 hours of  
24 work preparing his report and another  
25 171 hours preparing for this

This Transcript Contains Confidential Material

1 deposition. All that's billed at a  
2 rate of \$1,000 per hour.

3 Second matter I wanted to bring  
4 to your attention is a correction to  
5 Mr. Dean's required disclosures under  
6 Rule 26(a)(2)(b). Mr. Dean did  
7 publish a book with two coauthors in  
8 2018, which it appears you're familiar  
9 with, that's entitled "Nine Lives."

10 And finally, I wanted to let  
11 you know that Mr. Dean has in front of  
12 him unmarked copies of the reports,  
13 expert reports, of Jonathan Winer,  
14 Evan Kohlmann, and he also has an  
15 unmarked copy of his own report in  
16 front of him.

17 And I guess with that, I guess  
18 one other point to bring up is if  
19 there are any other representatives of  
20 parties on the call, if they could  
21 identify themselves for the record, I  
22 would appreciate that.

23 MR. SHEPS: This is Robert  
24 Sheps. I represent certain plaintiffs  
25 in the case as well from the Sheps Law



This Transcript Contains Confidential Material

1 Group. Thank you.

2 MS. BEMBRY: Good morning.

3 This is Aisha Bembry from Lewis Baach  
4 Kaufmann Middlemiss. Also on the line  
5 from my office is Sumayya Khatib. We  
6 represent the Muslim World League,  
7 IIRO and certain charity officials.

8 MR. GOETZ: Good morning.

9 Frederick Goetz, Goetz & Eckland,  
10 World Assembly of Muslim Youth, and  
11 Mustapha Ndanusa is also on the call  
12 from OTM Law.

13 MR. SEQUEIRA: Anybody else?

14 All right, Sean, go ahead.

15 QUESTIONS BY MR. CARTER:

16 Q. So back to where we were,  
17 Mr. Dean, good afternoon in Saudi Arabia.

18 A. Good afternoon.

19 Q. Mr. Dean, you're aware that we  
20 are here today to take your testimony in  
21 litigation arising from the September 11th  
22 attacks.

23 Correct?

24 A. Yes, I'm aware.

25 Q. Are you also aware that the



~~This Transcript Contains Confidential Material~~

1 plaintiffs in the litigation include  
2 commercial parties that suffered financial  
3 losses as a result of the attacks as well as  
4 individuals who suffered personal injuries or  
5 deaths as a result of the attacks?

6 A. Yes, I'm aware.

7 Q. And you have been offered in  
8 this litigation as an expert on behalf of  
9 Al Rajhi Bank.

10 Correct?

11 A. Yes.

12 Q. Mr. Dean, have you ever served  
13 as an expert in litigation prior to this  
14 engagement?

15 A. No.

16 Q. Have you ever given a  
17 deposition before?

18 A. No.

19 Q. Have you ever testified at a  
20 trial before?

21 A. No.

22 Q. Just so you have some  
23 familiarity with the process, the court  
24 reporter will be taking down my questions and  
25 your answers in a transcript of our

This Transcript Contains Confidential Material

1 conversation. To assist her in doing her  
2 job, it's important that you wait for me to  
3 finish my question before you begin to  
4 answer, and that I extend the same courtesy  
5 and wait for you to finish your answer before  
6 starting the next question.

7 Does that sound fair?

8 A. Yes, of course.

9 Q. To the extent that you need a  
10 break at any time today, just let us know,  
11 and we'll discuss with your counsel an  
12 appropriate time to do that.

13 A. Thank you.

14 Q. Another rule of the road here,  
15 the court reporter can't take down any  
16 gestures or nods of the head, so it's  
17 important for you to verbalize all of your  
18 answers.

19 Is that understood?

20 A. Understood.

21 Q. And you're aware that you're  
22 under oath today and that you're required to  
23 provide full and complete testimony in  
24 response to all of my questions?

25 A. Yes, I am aware.



This Transcript Contains Confidential Material

1 Q. To the extent that you have  
2 some information that is responsive to my  
3 question, can I count on you to provide that  
4 information, even if you don't know every bit  
5 of information that might be responsive?

6 A. Yes.

7 Q. Mr. Dean, you're presently in  
8 Saudi Arabia?

9 A. Yes, I am.

10 Q. Do you reside in Saudi Arabia?

11 A. No.

12 Q. Where do you reside?

13 A. I reside in Dubai, in the  
14 United Arab Emirates.

15 Q. And how long have you resided  
16 in Dubai?

17 A. Two years.

18 Q. And before that, where did you  
19 live?

20 A. The United Kingdom.

21 Q. And for how long did you reside  
22 in the United Kingdom before moving to the  
23 UAE?

24 A. Three years.

25 Q. And prior to living in the



This Transcript Contains Confidential Material

1 United Kingdom, where did you live?

2 A. Ireland.

3 Q. How long did you reside in  
4 Ireland?

5 A. Two years.

6 Q. And before the period where you  
7 lived in Ireland, where did you live?

8 A. The United Arab Emirates.

9 Q. For how long?

10 A. Six years.

11 Q. And before that stint in the  
12 United Arab Emirates, where did you live?

13 A. The United Kingdom.

14 Q. For how long were you in the  
15 United Kingdom during that period?

16 A. 14 years.

17 Q. Mr. Dean, have you ever been to  
18 the United States?

19 A. Yes.

20 Q. When?

21 A. On four occasions.

22 September 2015, July 2018, March 2019 and  
23 September 2021.

24 Q. What was the purpose of those  
25 visits?

This Transcript Contains Confidential Material

1           A.       In 2015, I was invited by the  
2       executive leadership of ExxonMobil to provide  
3       counter-radicalism and counter-extremism and  
4       counter-violent terrorism course lasting for  
5       five days. That was the purpose of the visit  
6       in September of 2015.

7           Q.       What about the others?

8           A.       The purpose of the visit in --  
9       let me remember. So the purpose of the visit  
10      in June -- I'm sorry, in July of 2018 was for  
11      the launch of the book. So that was the  
12      launch of my autobiography, Nine Lives. So  
13      the launch was in both International Spy  
14      Museum in DC and in New York.

15                   In -- sorry.

16          Q.       And when you referred to your  
17      book Nine Lives, that is the book you  
18      coauthored with Tim Lister and Paul  
19      Cruickshank?

20          A.       Yes.

21          Q.       Continue. You were about to  
22      tell me about your next visit to the United  
23      States.

24          A.       Yes.

25                   March 2019 was an invitation



This Transcript Contains Confidential Material

1 from both West Point military college in  
2 order to give a lecture to the cadets there,  
3 and also to the New York Police Department to  
4 talk about -- a lecture -- a lecture,  
5 basically, on counterterrorism finance. That  
6 was in March of 2019.

7 Q. Were there any written  
8 materials provided in relation to the lecture  
9 you gave at that time?

10 A. I did not provide any written  
11 materials at that time. It was mainly  
12 PowerPoint presentation.

13 Q. Continue. There was another  
14 visit, I believe, in 2021.

15 A. That was in September of 2021,  
16 and it was at the invitation of the FBI.

17 Q. What was the subject of that  
18 invitation?

19 A. I'm afraid I'm not at liberty  
20 to discuss or to divulge the purpose of the  
21 visit.

22 Q. Did you meet with anyone during  
23 that trip besides representatives of the FBI?

24 A. Only my business partner, Paul  
25 Cruickshank.

This Transcript Contains Confidential Material

1 Q. Was the visit with the FBI  
2 pursuant to an engagement of the consulting  
3 firm that you operate with Mr. Cruickshank?

4 A. No.

5 Q. What is the basis of your  
6 understanding that you're not permitted to  
7 disclose to us any details concerning that  
8 visit?

9 A. The understanding that I have  
10 reached with those who invited me, that I'm  
11 not supposed to divulge the nature of the  
12 visit and what I'm supposed to do with them.

13 Q. Was there any other party  
14 involved in arranging that visit with the  
15 FBI? For instance, another security service?

16 A. No.

17 Q. You mentioned your book a  
18 minute ago.

19 Have you authored any other  
20 publications during the last ten years?

21 A. Public publications in 2013,  
22 I've authored an article with two colleagues  
23 regarding terrorism finance.

24 Q. What was the name of that  
25 article?



This Transcript Contains Confidential Material

1           A.       It is looking into the question  
2       of terrorism finance as it was taking place.  
3       It's all about, you know, draining the --  
4       draining the swamp, as we were calling it at  
5       that time.

6                   MR. SEQUEIRA: Sean, just to  
7       clarify, that article was published  
8       prior to ten years before the  
9       submission of his report.

10                  MR. CARTER: Understood,  
11       Reuben.

12       QUESTIONS BY MR. CARTER:

13           Q.       Is the name of that article  
14       "Draining the Ocean to Catch One Type of  
15       Fish"?

16           A.       Yes.

17           Q.       I had information indicating  
18       that article may have been published in 2018.

19                   Is it your understanding that  
20       it was published in 2013?

21           A.       Indeed, yes.

22           Q.       Do I understand that you've not  
23       authored any other publications in the last  
24       ten years?

25           A.       Yes. No other publications

1       apart from the book.

2               Q.       Okay. And aside from the  
3       article that you wrote in 2013 with two other  
4       authors, have you published any other  
5       articles in the area of terrorism finance?

6               A.       No.

7               Q.       So the sum total of your public  
8       writings on the issue of terrorism financing  
9       would consist of the article you wrote with  
10      two other authors in 2013 and any portions of  
11      your book that could be said to discuss  
12      terrorism financing.

13                      Correct?

14                      MR. SEQUEIRA: Objection.

15                      Vague.

16                      You may answer the question.

17                      THE WITNESS: Yes, because most  
18      of the knowledge I impart is mostly  
19      due -- is mostly through lectures,  
20      seminars, webinars, and training  
21      sessions.

22      QUESTIONS BY MR. CARTER:

23               Q.       You have a podcast.

24                      Correct?

25               A.       Yes.



This Transcript Contains Confidential Material

1 Q. Do you recall whether you've  
2 ever dedicated an episode of your podcast to  
3 terrorism financing issues?

4 A. I remember dedicating parts of  
5 some of the episodes that talk about this,  
6 yes.

7 Q. But you don't recall any  
8 particular podcast episode that was dedicated  
9 to this subject specifically?

10 A. Specifically, no.

11 Q. In your report, you talk a bit  
12 about your expertise concerning aspects of  
13 Islam.

14 Are you familiar with those  
15 aspects of your report?

16 A. Yes.

17 Can you please point me to that  
18 section of my report, please?

19 Q. Well, there's various sections  
20 of your report.

21 A. Such as?

22 Q. On page 5 --

23 A. Yeah.

24 Q. -- you say, "I continue to  
25 advise on the theological underpinnings of

~~This Transcript Contains Confidential Material~~

1 violent extremist groups. Training seminars  
2 I currently offer include workshops on Modern  
3 Islamic Fundamentalism and Violent Extremism  
4 in which I educate governments, NGOs,  
5 corporate security practitioners and  
6 academics on the five modern strands of  
7 Islamic fundamentalism."

8 You then reference Wahhabism,  
9 Deobandism, the Muslim Brotherhood,  
10 Willatat-e-Faqih and Hezbul Tahrir.

11 Correct?

12 A. Yes.

13 Q. And there are other areas of  
14 your report where you discuss the ideological  
15 motivations for al-Qaeda's terrorism as well  
16 as for the conflicts in Bosnia, Chechnya and  
17 elsewhere.

18 Correct?

19 A. Can you point me to that  
20 section, please?

21 Q. Well, Mr. Dean, you wrote the  
22 report. I'm just asking whether you're  
23 familiar with the fact that you purport to  
24 address those issues in that report.

25 A. The issues of al-Qaeda being



This Transcript Contains Confidential Material

1 present in -- sorry, I can't follow.

2 Q. Mr. Dean, do you recall whether  
3 your report includes a discussion of the  
4 ideological underpinnings of al-Qaeda and  
5 contrast it with the ideological  
6 underpinnings for the conflicts in Bosnia and  
7 Chechnya?

8 A. Yes.

9 Q. And your opinions there are  
10 rooted, in part, in your understanding of the  
11 Islamic justifications for those causes?

12 MR. SEQUEIRA: Objection.

13 Vague.

14 But you may answer the  
15 question.

16 THE WITNESS: The answer needed  
17 the context here. It's not just only  
18 rooted in my understanding of Islam  
19 and Islamic laws and jurisprudence  
20 and creed and my education from a  
21 young age, but also looking into the  
22 stark ideological and organizational  
23 differences between the two based on  
24 my history in all of these.

25

This Transcript Contains Confidential Material

1 QUESTIONS BY MR. CARTER:

2 Q. Your report also discusses the  
3 Islamic concept of jihad.

4 Correct?

5 A. Yes.

6 Q. It also discusses the branch of  
7 Salafi Islam known as quietism.

8 Correct?

9 A. Yes.

10 Q. And your discussion about  
11 quietism is based on your purported expertise  
12 with regard to Islam.

13 Correct?

14 MR. SEQUEIRA: Objection to  
15 form.

16 You may answer.

17 THE WITNESS: Not only that,  
18 but also on several sources that are  
19 listed in the annex, and based on  
20 scholarly work done by other  
21 academics.

22 QUESTIONS BY MR. CARTER:

23 Q. Like who?

24 A. Will McCant and -- Will McCant  
25 and Jacob Olidort and also Patrick French.



This Transcript Contains Confidential Material

1 Q. Any others?

2 A. Well, also, like, I mean,  
3 talking about this, I would like to include  
4 Shiraz Maher.

5 Q. Have you published any articles  
6 yourself on quietism?

7 A. No.

8 Q. Do you discuss quietism at all  
9 in your book?

10 A. In the book, I discuss quietism  
11 as part of being -- you know, part of the  
12 Salafist school of thought when I was growing  
13 up in Saudi Arabia. So, yes.

14 Q. You include specific references  
15 in your book that you're aware of to  
16 quietism?

17 A. Not specific references. It's  
18 just the general idea that there is a belief  
19 there that the -- that the overall aspects of  
20 quietist Salafism are what is prevalent in  
21 the Saudi society at that time.

22 Q. There's no reference to the  
23 word "quietist" in your book, is there?

24 A. Not the exact word "quietist,"  
25 but the character.

This Transcript Contains Confidential Material

1 Q. With regard to the field of  
2 Islamic studies, do you have any formal  
3 education?

4 A. I went through the traditional  
5 route of attending a seminary in a mosque  
6 from the age of 9 until the age 16, seven  
7 years through which I memorized the Koran.  
8 And I have taken several -- well, I read  
9 several books supervised by several  
10 well-prominent -- you know, prominent and  
11 well-known imams in Saudi Arabia.

12 Q. That was part of your basic  
13 education from the time you were 9 to  
14 16 years old?

15 A. It is not basic, but it is  
16 rather like in the beginning of a journey.

17 Q. And so that educational period  
18 spanned from when you were 9 until you were  
19 16.

20 Correct?

21 A. And beyond.

22 Once I embarked on travels, I  
23 also started the process of educating myself  
24 on the rules of jihad, on the rules of  
25 warfare, on the rules of finance, and also on



1 the rules of judiciary.

2 Q. Mr. Dean, I'm asking you about  
3 any formal education in any of those fields.

4 Aside from the training that  
5 you described during the period that you were  
6 9 to 16, have you taken any formal course of  
7 study in Islam?

8 MR. SEQUEIRA: Objection to  
9 form. Vague.

10 You may answer.

11 THE WITNESS: Basically, even  
12 though I don't have a formal education  
13 in Islam, however, the majority of  
14 imams are graduating through that  
15 traditional route, through the mosque  
16 seminaries.

17 QUESTIONS BY MR. CARTER:

18 Q. You're aware that there are  
19 universities for Islamic studies, including  
20 in Saudi Arabia.

21 Correct?

22 A. Indeed.

23 Q. And people go to those schools,  
24 and they actually graduate with degrees,  
25 don't they?

This Transcript Contains Confidential Material

1 A. Indeed.

2 Q. Do you have one of those?

3 A. No.

4 Q. Have you ever attended any  
5 university-level classes in Islam at all?

6 A. What do you mean by  
7 "university-level classes"?

8 Q. Have you ever been enrolled at  
9 a university?

10 A. No.

11 Q. And so you have never been  
12 enrolled at a university for purposes of  
13 studying Islam.

14 Correct?

15 A. For the purposes of studying  
16 Islam to go into university, no.

17 For the purposes of studying  
18 Islam on my own and also under the  
19 supervision of other instructors, yes.

20 Q. And with regard to the  
21 supervision of other instructors, that  
22 included this period between 9 and 16 in  
23 Saudi Arabia?

24 MR. SEQUEIRA: Objection.

25 Vague.



This Transcript Contains Confidential Material

1                   You may answer.

2                   THE WITNESS: Yes, and beyond  
3                   that. All the way until now.

4                   QUESTIONS BY MR. CARTER:

5                   Q.       With regard to the period from  
6                   9 to 16, you recount some of your experiences  
7                   in your book.

8                   Correct?

9                   A.       Yes.

10                  Q.       And during that time, you  
11                  indicate that you had a personal interest in  
12                  the writings of Sayyid Qutb and Dehees.

13                  Is that correct?

14                  A.       Yes.

15                  Q.       You were also a member of an  
16                  Islamic study circle.

17                  Correct?

18                  A.       Yes.

19                  Q.       And that Islamic study circle  
20                  exposed you to scholars of Islam?

21                  A.       Yes.

22                  Q.       And that is part of the  
23                  experience that you're citing with regard to  
24                  your background in Islamic studies.

25                  Correct?

This Transcript Contains Confidential Material

1 MR. SEQUEIRA: Object to the  
2 form.

3 You may answer.

4 THE WITNESS: That's not the  
5 only experience I have.

6 The experience I developed  
7 after that -- that was the foundation.  
8 What I built after that was the  
9 extensive knowledge I've gained  
10 through the applied theology of jihad,  
11 first, and then after that, the  
12 applied theology of understanding the  
13 laws and customs within the confine of  
14 a nation, state.

15 As I was being trained in -- by  
16 MI5 and MI6, I was exposed to scholars  
17 from Cambridge and Oxford in order to  
18 hone in my Islamic studies and my  
19 understanding of Islam in order to  
20 become a better intelligence  
21 operative, collecting intelligence on  
22 behalf of the Her Majesty's government  
23 at that time.

24 QUESTIONS BY MR. CARTER:

25 Q. But who were those scholars?



This Transcript Contains Confidential Material

1           A.       They are part of the  
2 intelligence services, MI5 and MI6.

3           Q.       Are you not permitted to tell  
4 me who they are?

5           A.       I'm not at liberty to discuss  
6 who they are.

7           Q.       During the time that you were  
8 studying Islam in Saudi Arabia between 9 and  
9 16, you recount in your book that you were  
10 exposed to a scholar named Yusuf Al-Ayeri.

11                   Correct?

12          A.       Yes.

13          Q.       And so that was one of the  
14 scholars who were part of your Islamic  
15 education during that period?

16                   MR. SEQUEIRA: Objection.

17                   Vague.

18                   You may answer.

19                   THE WITNESS: Yes, he was part  
20 of it.

21                   QUESTIONS BY MR. CARTER:

22          Q.       And you recount in your book  
23 that Yusuf Al-Ayeri exposed you to a  
24 particularly anti-American view of Islam.

25                   Correct?

This Transcript Contains Confidential Material

1 A. Yes.

2 Q. He, among other things, told  
3 you that Pepsi stood for "pay every penny to  
4 support Israel."

5 Correct?

6 A. Yes.

7 Q. And he suggested to you that  
8 the Smurfs were part of an insidious western  
9 campaign to undermine the fabric of Muslim  
10 society?

11 A. Yes.

12 Q. That was part of the Islamic  
13 scholarship that formed the foundation of  
14 your training?

15 MR. SEQUEIRA: Objection.

16 Vague. Form.

17 You may answer.

18 THE WITNESS: That was part of  
19 the extracurricular that was applied  
20 after the proper Islamic education  
21 was -- you know, was, you know,  
22 taught.

23 QUESTIONS BY MR. CARTER:

24 Q. And Ayeri was, at that time, a  
25 member of al-Qaeda, was he not?



This Transcript Contains Confidential Material

1           A.       My recollection at that time is  
2       that he was a sympathizer. In that  
3       particular time period, he was a sympathizer  
4       with al-Qaeda, yes.

5           Q.       In your book, don't you recount  
6       that he was operationally involved with  
7       bin Laden as early as the period of the  
8       attack in Somalia on US troops in 1993?

9           A.       Yes, I do.

10          Q.       And that would have been very  
11       early in al-Qaeda's history?

12          A.       Yes, that would be in 1993.

13          Q.       And Ayeri had, prior to that,  
14       fought in Afghanistan in the jihad against  
15       the Soviet Union alongside bin Laden?

16          A.       Yes, he did.

17          Q.       And Ayeri was part of the  
18       Islamic indoctrination that led you to go to  
19       Bosnia to participate in jihad?

20                   MR. SEQUEIRA: Objection.

21                   Vague. Form.

22                   You may answer.

23                   THE WITNESS: He was part, you  
24       know, of a larger process. I would  
25       say he was only one factor.

This Transcript Contains Confidential Material

1 QUESTIONS BY MR. CARTER:

2 Q. You mention in your book also  
3 being very interested during this period, and  
4 I'm talking about the early '90s, in the  
5 statements of Safar al-Hawali and Salman  
6 al-Odah.

7 Correct?

8 A. Yes.

9 Q. And who were they?

10 A. Salman al-Odah and Safar  
11 al-Hawali were, I would say, clerics who had  
12 outspoken views in the 19 -- late 1980s and  
13 early 1990s.

14 Q. In terms of their outspoken  
15 views, was there any particular point of view  
16 that they were advocacy -- advocating that  
17 you can recall?

18 A. My recollection of their form  
19 of proselytizing was mostly revolving around  
20 Sharia, the establishment of Sharia within  
21 the Muslim world, and at the same time  
22 rejection for the presence of the US forces  
23 in the Arabian peninsula and at the same time  
24 a revival of Islamic heritage.

25 Q. Safar al-Hawali and Salman



This Transcript Contains Confidential Material

1 al-Odah were members of the Sahwa movement.

2 Correct?

3 A. Context here. The Sahwa  
4 movement is not a monolithic movement that  
5 has, you know, an organizational body with a  
6 center and a leadership. It was more of a  
7 generic term given to one strand of  
8 thelothism called the politically active  
9 thelothism.

10 Q. And Safar al-Hawali and Salman  
11 al-Odah viewed the American troops present in  
12 Saudi Arabia as infidels.

13 Correct?

14 A. Can you please repeat the  
15 question? Sorry.

16 Q. Salman al-Odah and Safar  
17 al-Hawali referred to the American troops  
18 stationed in Saudi Arabia at that time as  
19 infidels.

20 Did they not?

21 A. Yes. The reference to them as  
22 infidels implies that they were not Muslims.

23 Q. And they advocated that the US  
24 had placed the troops there as part of a  
25 broader plan to reorder the Muslim world.

This Transcript Contains Confidential Material

1 Correct?

2 MR. SEQUEIRA: Objection to  
3 form.

4 You may answer.

5 THE WITNESS: I mean, the  
6 general gist of their argument was  
7 that the presence of American troops  
8 in that large number in the region was  
9 going to be a destabilizing factor,  
10 from their own point of view, which  
11 was not a view shared by the Saudi  
12 leadership at that time.

13 QUESTIONS BY MR. CARTER:

14 Q. Well, during that period, do  
15 you believe that Salman al-Odah and Safar  
16 al-Hawali were properly characterized as  
17 extremists?

18 MR. SEQUEIRA: Objection.  
19 Vague.

20 You may answer.

21 THE WITNESS: They were  
22 characterized as politically  
23 ambitious, possibly power-hungry  
24 clerics.  
25



This Transcript Contains Confidential Material

1 QUESTIONS BY MR. CARTER:

2 Q. They were in prison, were they  
3 not?

4 A. Yes.

5 Q. Did their imprisonment have  
6 anything to do with the conflict in Bosnia?

7 A. My understanding, and the  
8 understanding of many of my contemporaries at  
9 the time in Saudi Arabia, that their  
10 imprisonment was primarily due to seditious  
11 statements that they made in regard to how  
12 The Kingdom is running its affairs.

13 Q. And that included their  
14 statements about the presence of US forces on  
15 Saudi soil, did it not?

16 A. While they never advocated for  
17 violence against US forces in Saudi Arabia or  
18 anywhere else, for that matter, they totally,  
19 based on their ideology, rejected the  
20 presence of US forces in Saudi Arabia.

21 Q. During this period of your  
22 life in Saudi Arabia, was discussion of the  
23 jihad in Bosnia a prominent aspect of the  
24 dialogue within Saudi society?

25 MR. SEQUEIRA: Objection.

1 Vague. Form.

2 You may answer.

3 THE WITNESS: What was  
4 prominent at that time was the  
5 dialogue regarding the genocide that  
6 was taking place in Bosnia at that  
7 time. That was what was on the news.  
8 This wasn't about just the jihad  
9 happening there. It was actually  
10 about the massacres and the atrocities  
11 and the humanitarian crisis.

12 QUESTIONS BY MR. CARTER:

13 Q. Were there not calls for men to  
14 travel to Bosnia to engage in jihad in  
15 response to those atrocities?

16 A. The -- if there was calls for  
17 that, it would have been barely audible. The  
18 loudest voices were to donate money and to  
19 help the Bosnian civilians cope with one of  
20 the worst atrocities in Europe post-1945.

21 And therefore, with authority,  
22 I could state that at that time the calls for  
23 jihad were barely audible.

24 Q. Well, who was Sheikh Ibn Baz  
25 during that time period?



1           A.       He was the mufti of Saudi  
2   Arabia.

3           Q.       And in fact, didn't the mufti  
4   of Saudi Arabia issue a specific call for  
5   jihad in Bosnia and to provide arms?

6                   MR. SEQUEIRA:  Objection.

7           Form.  Vague.

8                   You may answer.

9                   THE WITNESS:  I'm not aware of  
10   that Fatwa, with all honestly, and I  
11   would love to see the references.

12   QUESTIONS BY MR. CARTER:

13           Q.       Sure.  We'll find that for you.  
14                   In 1994, you decided to travel  
15   to Bosnia to participate in the jihad.

16                   Correct?

17           A.       Yes.

18           Q.       Were you the only Saudi who  
19   left The Kingdom during this period to  
20   participate in jihad in Bosnia?

21           A.       I would like to offer a  
22   correction, Counsel.  I'm regularly a  
23   Bahraini citizen, and I've made this very  
24   clear in the book.  Yes, there are other  
25   people from the GCC countries who traveled to

1 Bosnia at that time.

2 Q. Okay. Well, I asked you about  
3 Saudi.

4 Were there other Saudis who  
5 traveled to Bosnia during that time period to  
6 participate in jihad?

7 MR. SEQUEIRA: Objection.

8 Misstates what he said.

9 You may answer.

10 THE WITNESS: Saudis  
11 represented just one part of many  
12 parts of other nationalities that  
13 traveled to Bosnia. The majority were  
14 from north Africa or north African  
15 descent who were living in western  
16 Europe at that time.

17 QUESTIONS BY MR. CARTER:

18 Q. During that time period, were  
19 you exposed to any scholars -- and I'm  
20 talking about the period immediately before  
21 you left for Bosnia. Were you exposed to any  
22 scholars in Saudi Arabia who characterized  
23 the jihad in Bosnia as a first stage of a  
24 larger confrontation with the West?

25 A. Not in Saudi Arabia, no.



1 Q. What about when you were in  
2 Bosnia?

3 A. When I was in Bosnia, the only  
4 scholarly leadership, there was that of the  
5 Mujahideen brigade. That's the only  
6 leadership I followed at that time.

7 Q. And did any of the scholarly  
8 leadership of the Mujahideen brigade convey  
9 to you that Bosnia was a first stage in a  
10 broader confrontation with The West?

11 A. No.

12 VIDEOGRAPHER: I'm sorry to  
13 interrupt. I think we've -- Carrie  
14 Campbell just dropped out. I just  
15 wanted to make sure she's okay.

16 We're back on the record.

17 QUESTIONS BY MR. CARTER:

18 Q. And just to sort of track your  
19 trajectory, Mr. Dean, in 1994, you left Saudi  
20 Arabia at the age of 16 to join the fighting  
21 in Bosnia?

22 A. Yes, I did.

23 Q. And you joined a contingent of  
24 soldiers that was known as the Mujahideen  
25 brigade, correct?

This Transcript Contains Confidential Material

1           A.       Yes, initially they were  
2       labeled as the Mujahideen battalion. Near  
3       the end of the war, they were, you know,  
4       given the rank of a brigade.

5           Q.       Who was the leader of that  
6       contingent of soldiers?

7           A.       The leadership, the overall  
8       leadership, was by an Egyptian cleric named  
9       Anwar Shaaban.

10          Q.       Am I correct that in your book  
11       you describe Shaaban as a senior official of  
12       Gama al-Islamiya?

13          A.       Yes. I did describe him as  
14       senior official of Gama al-Islamiya, yes.

15          Q.       Gama al-Islamiya is a terrorism  
16       organization.

17                   Correct?

18          A.       In Egypt, yes, they are  
19       regarded as a terrorist organization.

20          Q.       Had Shaaban previously fought  
21       in the Afghan jihad?

22          A.       As far as I'm aware, no.

23          Q.       Was there also a senior fighter  
24       associated with the Mujahideen battalion  
25       named Abdul Rahman al-Dosari?



This Transcript Contains Confidential Material

1 MR. SEQUEIRA: Objection.

2 Form.

3 You may answer.

4 THE WITNESS: I'm not aware of  
5 who you refer to.

6 QUESTIONS BY MR. CARTER:

7 Q. He was also known as Hound or  
8 Barbarossa?

9 A. I'm not aware of who you refer  
10 to.

11 Q. During the time that you were  
12 in Bosnia, you recount in your book being  
13 present during a mass execution of captured  
14 Serbs by members of the Mujahideen forces.

15 Correct?

16 A. Yes.

17 Q. In your book, you indicate that  
18 many of the captured Serbian individuals were  
19 beheaded.

20 Correct?

21 A. Yes.

22 Q. How many?

23 A. If I recall at that time, there  
24 were dozens.

25 Q. You also indicate in your book

This Transcript Contains Confidential Material

1       that the beheadings were conducted with  
2       serrated hunting knives, axes and chainsaws.

3                       Correct?

4                       MR. SEQUEIRA: Objection.

5                       Sean, this is irrelevant to his  
6       opinion and his testimony.

7                       MR. CARTER: No, it's not.

8                       MR. SEQUEIRA: How is this  
9       relevant?

10                      MR. CARTER: I'm going to  
11       conduct the deposition, Reuben.

12       QUESTIONS BY MR. CARTER:

13                      Q.       Mr. Dean, am I correct that in  
14       your book you recount that the beheadings  
15       that you were present for were carried out  
16       using serrated hunting knives, axes and  
17       chainsaws?

18                      A.       Yes.

19                      Q.       In your expert report, you are  
20       offering opinions and statements based on  
21       your firsthand experience as a jihad fighter  
22       in Bosnia, aren't you?

23                      A.       Yes, indeed.

24                      Q.       And so it's fair to say that in  
25       serving as an expert in this case for



1 Al Rajhi Bank, you are profiting directly off  
2 of your personal experience as a jihad  
3 fighter in Bosnia.

4 Right?

5 MR. SEQUEIRA: Objection, Sean.

6 You may answer the question.

7 THE WITNESS: Okay. No,  
8 Counsel. The whole idea is the fact  
9 that since I have left al-Qaeda and  
10 ended up being recruited by MI5 and  
11 MI6, I dedicated my life. And in  
12 fact, countless times I could have  
13 faced death in order to save as many  
14 lives as possible.

15 Whatever material outcome that  
16 came, came after eight years of  
17 baptism through fire, blood and sweat,  
18 and every day could have been the end  
19 for me.

20 So it wasn't that when I left  
21 Bosnia I was looking for a life of  
22 profiteering. No, I wasn't.

23 QUESTIONS BY MR. CARTER:

24 Q. You're under no obligation to  
25 accept a thousand dollars an hour to provide

~~This Transcript Contains Confidential Material~~

1 firsthand witness testimony about your  
2 experiences in Bosnia, are you?

3 A. It is consistent with the rate  
4 that I charge my clients.

5 Q. And in this case, you've  
6 decided to charge your client, Al Rajhi Bank,  
7 a thousand dollars an hour to testify about  
8 your firsthand experiences in Bosnia, which  
9 included, among other things, the beheadings  
10 that you recount in your book at pages 38 and  
11 39, right?

12 MR. SEQUEIRA: Objection, Sean.  
13 He didn't testify about  
14 beheadings. That's totally irrelevant  
15 to his report.

16 And, Sean, this witness has  
17 spent 25 years --

18 MR. CARTER: Reuben, don't  
19 testify. Don't testify for the  
20 witness.

21 MR. SEQUEIRA: Your questions  
22 are going way beyond the scope here,  
23 so let's keep --

24 MR. CARTER: It's not beyond  
25 the scope. He has decided to come



1           into this case and testify about  
2           firsthand experiences in Bosnia and be  
3           paid for it. So the nature of those  
4           experiences is highly relevant to  
5           understanding his credibility and  
6           bias.

7                   MR. SEQUEIRA: Can you point to  
8           one place in his report where he  
9           points to beheadings in Bosnia?

10                  MR. CARTER: He's talking about  
11           his firsthand experience in things  
12           that he witnessed. That's the basis  
13           of his testimony.

14                  The factfinder, jury, judge, is  
15           entitled to understand what he was  
16           doing at the time.

17                  MR. SEQUEIRA: And he's  
18           explained that in the report.

19                  THE WITNESS: Can you --

20           QUESTIONS BY MR. CARTER:

21                  Q.       Sometime thereafter, Mr. Dean,  
22           the conflict in Bosnia came to a close with  
23           the signing of the Dayton Accords, correct?

24                  A.       Yes.

25                  Q.       And did you go home at that

This Transcript Contains Confidential Material

1 time?

2 A. No.

3 Q. As I understand from the  
4 excerpt recounted in your book, you actually  
5 sought to go from there to join the Chechen  
6 jihad.

7 Correct?

8 A. Yes.

9 Q. So the mass slaughter that you  
10 witnessed in Bosnia at that time had not  
11 diminished your zeal to participate in armed  
12 jihad.

13 Correct?

14 MR. SEQUEIRA: Objection.

15 Vague.

16 You may answer the question.

17 THE WITNESS: Mr. Carter, my  
18 motivation in the first place to go to  
19 the jihad in Bosnia was to protect and  
20 to defend civilians who were subject,  
21 according to countless UN reports at  
22 the time, of genocide, mass rape,  
23 including 60,000 females who were  
24 raped at that time at the hands of the  
25 Chechnic, Serb forces there.



This Transcript Contains Confidential Material

1                   My motivation was not to go  
2                   there just because I wanted to enjoy  
3                   the lust of blood. It was more or  
4                   less in order to protect and defend.

5                   And in the book, Mr. Carter, I  
6                   condemned that act, and I said that  
7                   even at that time I was extremely  
8                   uncomfortable being there or even  
9                   watching.

10       QUESTIONS BY MR. CARTER:

11               Q.       And in fact, Mr. Dean, that  
12       goes to the heart of the question we're  
13       raising here, which is one of your  
14       credibility.

15                   And with regard to your  
16       credibility, the fact is that your witnessing  
17       of that event did not stop you from  
18       continuing to search for theaters of jihad to  
19       engage in armed conflict.

20                   Correct?

21                   MR. SEQUEIRA: Objection.

22                   Is that a question?

23                   MR. CARTER: It is.

24                   MR. SEQUEIRA: Can you repeat  
25       the question?

1 QUESTIONS BY MR. CARTER:

2 Q. The fact that you witnessed  
3 fellow jihad fighters slaughter dozens of  
4 captive Serbs by beheading them did not  
5 prevent you from seeking another opportunity  
6 to engage in jihad in Chechnya in early 1996.

7 Correct?

8 A. The context here is the fact  
9 that what happened in that field was an  
10 atrocity, and I absolutely stated that in the  
11 book. And I said that the captive Serb  
12 militiamen, many of whom were responsible for  
13 atrocities themselves, were not supposed to  
14 be treated this way. And I said I wanted to  
15 exchange them for the countless civilians  
16 held by the Serbs, including women and  
17 children. So that was my motive.

18 Atrocities committed in that  
19 war by both sides were condemnable by me. It  
20 does not negate the principle that defending  
21 civilians from the onslaught of powerful  
22 militaries is not an objection that is  
23 dishonorable.

24 Q. You just mentioned that the  
25 Serbs who were slaughtered were militia. In



~~This Transcript Contains Confidential Material~~

1 your book, in fact, you indicate that you  
2 believe some of them may have been civilians.

3 Don't you?

4 A. That's the case at the time,  
5 but the majority were Serbian militiamen.

6 Q. And so after that event, you  
7 decided to go on and try to find another  
8 theater to engage in armed jihad in Chechnya.

9 Correct?

10 A. Once again, for the context,  
11 the whole issue is to defend and to protect  
12 and not to go just purely for a lust after  
13 blood.

14 Q. Well, when you went to seek  
15 access to the Chechen jihad in early 1996, am  
16 I correct that you were unable to get into  
17 Chechnya at the time?

18 A. Yes.

19 Q. And as a result of being unable  
20 to gain access to Chechnya, you instead went  
21 to work for a branch office of the  
22 Al-Haramain Islamic Foundation in Baku,  
23 Azerbaijan?

24 A. Yes.

25 Q. Am I correct that you spent

This Transcript Contains Confidential Material

1 about three months there?

2 A. Roughly about five months.

3 Q. Aside from that five-month  
4 period working for that particular branch of  
5 Al-Haramain in Baku, Azerbaijan, did you  
6 spend any other time working for Al-Haramain?

7 A. No.

8 Q. Did you ever work for the  
9 International Islamic Relief Organization?

10 A. No.

11 Q. Did you ever work for the  
12 Muslim World League?

13 A. No.

14 Q. Did you ever work for the World  
15 Assembly of Muslim Youth?

16 A. No.

17 Q. Did you ever work for Lejon  
18 al-Birr {phonetic}?

19 A. No.

20 Q. Between the time that you left  
21 Saudi Arabia to join the Bosnia jihad in  
22 about 1994 and the date of the September 11th  
23 attack, September 11, 2001, were you ever  
24 back in Saudi Arabia?

25 A. No.



This Transcript Contains Confidential Material

1 Q. At the end of your time in  
2 Bosnia, you report in your book that you had  
3 an interaction with Khalid Sheikh Mohammed.

4 Is that correct?

5 A. Yes, I do.

6 Q. And at that time, Khalid Sheikh  
7 Mohammed framed the conflict in Bosnia as a  
8 stepping stone to a broader confrontation  
9 with The West.

10 Didn't he?

11 A. I can't recall that he said  
12 that exactly. What I can recall is the fact  
13 that he said that this is exactly what we  
14 need. This is the end of the war. We need  
15 you to leave this useless conflict where  
16 people go from one place to another to be  
17 subjugated and subordinated to secular  
18 government and to come to a new kind of war  
19 that he was preaching.

20 Q. He recommended that you travel  
21 to Afghanistan to obtain training for that  
22 new kind of war.

23 Correct?

24 A. Yes, he did.

25 Q. And after the five-month period

This Transcript Contains Confidential Material

1 in Baku working for Al-Haramain, you decided  
2 to pursue that course.

3 Correct?

4 A. Yes.

5 Q. So in that period in --  
6 sometime in -- after August of 1996, you made  
7 a trip to Peshawar, Pakistan, on your way to  
8 Afghanistan.

9 Is that correct?

10 MR. SEQUEIRA: Objection.

11 Vague.

12 You may answer.

13 THE WITNESS: The trip was made  
14 in May of 1996.

15 QUESTIONS BY MR. CARTER:

16 Q. The trip to Peshawar, Pakistan,  
17 in May of 1996 included a stop at a  
18 guesthouse run by Abu Zubaydah.

19 Correct?

20 A. Yes.

21 Q. How long were you at the  
22 guesthouse with Abu Zubaydah?

23 A. A few days.

24 Q. From there, did you travel to  
25 the Darunta camp for training?



This Transcript Contains Confidential Material

1 A. Yes.

2 Q. What was Darunta?

3 A. Are you talking about the town?

4 Q. No, the training camp, Darunta,  
5 at that time where you went.

6 A. I -- Darunta had many camps, so  
7 could you be more specific, please?

8 Q. Okay. That's a fair point.

9 Where was Darunta in relation  
10 to the closest Afghan city?

11 A. Darunta was roughly about maybe  
12 six miles west of Jalalabad.

13 Q. And was any of the al-Qaeda  
14 leadership headquartered in the Jalalabad  
15 area at that time?

16 A. No.

17 Q. Where was the al-Qaeda  
18 leadership at that time?

19 A. I think they were maybe about  
20 5,000 kilometers away in Sudan.

21 Q. And at some point in 1996, the  
22 al-Qaeda leadership, or significant portions  
23 of it, relocated from Sudan to Afghanistan.

24 Correct?

25 A. Yes. That was in July 23rd of

This Transcript Contains Confidential Material

1 1996.

2 Q. And upon that relocation in  
3 July of 1996, were you still in the  
4 Islamabad -- or in the Jalalabad area?

5 A. Yes, I was in the Jalalabad  
6 area.

7 Q. And upon the relocation from  
8 Sudan to Afghanistan, where was the al-Qaeda  
9 leadership?

10 A. In the Unis Hall's {phonetic}  
11 compound.

12 Q. Where was that?

13 A. It's on the border between  
14 Nangarhar province and Paktia province.

15 Q. How far was that from Jalalabad  
16 where you were?

17 A. Roughly about 45 minutes by  
18 car.

19 Q. And during this period at  
20 Darunta, you were not yet a part of al-Qaeda?

21 A. No.

22 Q. You describe on pages 58 to 59  
23 of your book -- and if we can, why don't we  
24 go ahead and mark the PDF copy of your book,  
25 Nine Lives, as an exhibit.



This Transcript Contains Confidential Material

1 MR. CARTER: Sorry, it's  
2 number 3, Gina.

3 And if we can go ahead to  
4 pages 58 and 59.

5 MR. SEQUEIRA: Excuse me, Sean.  
6 We don't have the exhibit in the  
7 marked exhibits folder.

8 MR. CARTER: I think it's  
9 coming.

10 GINA VELDMAN: It's there.  
11 It's just a big file, so it might take  
12 a minute for you guys to get it.

13 MR. SEQUEIRA: Okay. Hang on a  
14 sec.

15 Yeah, it's downloading.  
16 Thanks.

17 (Dean Exhibit 1 marked for  
18 identification.)

19 QUESTIONS BY MR. CARTER:

20 Q. Mr. Dean, are you able to see  
21 the pages of your book, 58 to 59?

22 A. Not yet. I'm still waiting for  
23 them to come.

24 Okay. Yes, I do.

25 Q. In this section of your book,

~~This Transcript Contains Confidential Material~~

1     you recount your experiences during this  
2     period at a camp in Darunta in 1996.

3                     Correct?

4             A.     Yes, I do.

5             Q.     You describe that the  
6     experience involved a routine.

7                     Fair to say?

8             A.     Yes.

9             Q.     And that routine, as you  
10    describe in your book, involved prayer in the  
11    morning, followed by a long run, then  
12    breakfast, then classes on weapons and battle  
13    tactics, then prayers and lunch, followed by  
14    religious studies and, at times, shootings in  
15    the afternoon and more prayers.

16                    Is that a fair summary?

17             A.     Yes.

18             Q.     During this period of time at  
19    the camp in Darunta, did you have any  
20    significant meetings with the al-Qaeda  
21    leadership?

22             A.     There was one meeting, yes.

23             Q.     Is that the meeting you recount  
24    on page 65 where you met Osama bin Laden in  
25    the presence of Abu Hafs al-Masri for the



This Transcript Contains Confidential Material

1 first time?

2 A. Yes.

3 Q. And you were still a new,  
4 possible recruit at that time?

5 A. I wasn't a possible recruit,  
6 but it was -- yes, like, I mean, I was  
7 invited.

8 Q. Well, you weren't a member of  
9 al-Qaeda yet?

10 A. No, I wasn't.

11 Q. All right. And at that time,  
12 bin Laden and Abu Hafs al-Masri didn't know  
13 you in any familiar way.

14 Correct?

15 A. No.

16 Q. And they were just meeting you  
17 for the first time at the interaction you  
18 describe on page 65?

19 A. Yeah. Myself and 13 others.

20 Q. This was not a meeting during  
21 which there was a discussion of high-level  
22 al-Qaeda finances, was it?

23 A. No.

24 Q. It was a relatively cursory  
25 meeting.

This Transcript Contains Confidential Material

1 Correct?

2 A. Yes.

3 Q. Continuing on in the September  
4 to October period of 1996, the Taliban seized  
5 control of Afghanistan.

6 Is that correct?

7 A. Yes.

8 Q. And by late 1996, you decide  
9 that you want to leave for the Philippines.

10 Correct?

11 A. Yes.

12 Q. Why?

13 A. At that time, there was several  
14 of people who I was training with in  
15 Afghanistan who went there, and I decided to  
16 go with them.

17 Q. Why did you decide to leave  
18 Afghanistan to go to the Philippines with  
19 them?

20 A. Well, the decision mostly  
21 because I wanted to explore a new place.

22 Q. Were you specifically  
23 interested because there was active fighting  
24 going on in the Philippines between the Moro  
25 Islamic Liberation Front and the Philippine



~~This Transcript Contains Confidential Material~~

1 military?

2 A. That was part of the  
3 motivation, yes.

4 Q. And in fact, you say on page 73  
5 of your book that "A new front of jihad  
6 beckoned. I relished the chance to be back  
7 on the front lines. I might finally attain  
8 the martyrdom that had been denied me in  
9 Bosnia, and if not, Afghanistan would still  
10 be here in a few months."

11 Correct?

12 A. Yes.

13 Q. And that fairly captures why  
14 you left Afghanistan at the time?

15 A. Yes.

16 Q. How long did you spend -- I'm  
17 sorry. About when did you leave for the  
18 Philippines?

19 A. Roughly about January, maybe  
20 February, of 1997.

21 Q. And at the time that you left  
22 for the Philippines, your only interactions  
23 with al-Qaeda leadership in Afghanistan  
24 consisted with your brief interaction with  
25 bin Laden and Abu Hafs al-Masri and arguably

1 your brief stay with Abu Zubaydah in  
2 Peshawar, Pakistan?

3 MR. SEQUEIRA: Objection.

4 Form. Vague.

5 You may answer.

6 THE WITNESS: Yeah.

7 Counsel, I mean, yes, that was  
8 the time I spent with Osama bin Laden  
9 and Abu Hafs al-Masri. It was just  
10 that afternoon and evening. I think  
11 it was the 4th of August of 1996.

12 However, you mentioned Abu  
13 Zubaydah. I don't think Abu Zubaydah  
14 was a member of al-Qaeda, and  
15 therefore my time with him shouldn't  
16 count as time spent with al-Qaeda.

17 QUESTIONS BY MR. CARTER:

18 Q. And that's a fair point. That  
19 is why I used the word "arguably" to the  
20 extent -- with regard to Abu Zubaydah. So  
21 let me just clarify that.

22 I understand your testimony to  
23 be that Abu Zubaydah was not actually a  
24 member of al-Qaeda.

25 Correct?



This Transcript Contains Confidential Material

1           A.       Yes, he was never a member of  
2   al-Qaeda.

3           Q.       So you don't view any of your  
4   interactions with him to have been  
5   interactions with a member of the al-Qaeda  
6   leadership?

7           A.       No, I don't regard any  
8   interaction I had with him as it was an  
9   interaction with a member of al-Qaeda.

10          Q.       How long did you spend in the  
11   Philippines in 1997?

12          A.       Roughly about seven and a half  
13   months.

14          Q.       And so that would take us to  
15   somewhere around August or September of 1997?

16          A.       Yes. Late August I arrived  
17   back to Afghanistan.

18          Q.       And you returned to Afghanistan  
19   via Pakistan, stopping at the Zubaydah  
20   guesthouse?

21          A.       Yes.

22          Q.       And you told Zubaydah at that  
23   time that you had interest in going to  
24   Darunta to study under Abu Khabab.

25                   Correct?

This Transcript Contains Confidential Material

1 A. Yes.

2 Q. Abu Khabab was a bomb maker.

3 Is that correct?

4 A. Yes.

5 Q. He had established his own camp  
6 in Darunta by that time?

7 MR. SEQUEIRA: Objection to  
8 form.

9 You may answer.

10 THE WITNESS: Yes, he did.

11 QUESTIONS BY MR. CARTER:

12 Q. That was different from the  
13 camp where you had received training in the  
14 1996 period?

15 A. Yes.

16 MR. SEQUEIRA: Objection to  
17 form.

18 You may answer.

19 THE WITNESS: Yes, it was.

20 QUESTIONS BY MR. CARTER:

21 Q. Did you in fact then go to  
22 Darunta to study under Abu Khabab?

23 A. Yes.

24 Q. Would that have occurred after  
25 a brief stay at the Zubaydah guesthouse in



~~This Transcript Contains Confidential Material~~

1 Pakistan?

2 A. There was a brief stay at the  
3 Zubaydah house in Pakistan, safe house. And  
4 then after that, before I joined Abu Khabab's  
5 camp, first I was recruited into al-Qaeda.

6 Q. You indicate in your book that  
7 you swore your oath of loyalty or bayat to  
8 bin Laden in September of 1997.

9 Correct?

10 A. Yes.

11 Q. What were you doing between  
12 your return to Afghanistan in August of '97  
13 and the date on which you swore bayat to  
14 bin Laden in September of '97?

15 A. All these events took place  
16 over the period of two weeks.

17 Q. Where were you?

18 A. First in Peshawar, then  
19 Jalalabad, then Kabul, and then Kandahar.

20 Q. So you were staying at a  
21 guesthouse in Jalalabad just before you swore  
22 your oath of bayat to bin Laden in September  
23 of '97?

24 A. Yes.

25 MR. SEQUEIRA: Objection to

This Transcript Contains Confidential Material

1 form.

2 You may answer.

3 QUESTIONS BY MR. CARTER:

4 Q. And you traveled to Kandahar  
5 for purposes of making that oath to bin Laden  
6 in September of 1997?

7 MR. SEQUEIRA: Objection to  
8 form.

9 You may answer.

10 THE WITNESS: I traveled to  
11 Kandahar because I was curious, and I  
12 wanted to see Osama bin Laden and to  
13 make my mind there and then.

14 QUESTIONS BY MR. CARTER:

15 Q. Did you swear an oath to  
16 bin Laden in Kandahar?

17 A. Yes.

18 Q. Did that occur in September  
19 of 1997?

20 A. Yes.

21 Q. Do you recall the specific date  
22 in September?

23 A. It was roughly in the first ten  
24 days.

25 Q. That is the point in time at



~~This Transcript Contains Confidential Material~~

1     which you became an actual member of  
2     al-Qaeda?

3             A.     Yes.

4             Q.     And leading up to that, your  
5     experience in Afghanistan was limited to the  
6     time you spent in the camp in Darunta before  
7     leaving for the Philippines and the two weeks  
8     you were in Afghanistan after returning from  
9     the Philippines before you swore your oath.

10            Correct?

11           A.     No, it's not correct. There  
12     were other parts of Afghanistan that I've  
13     been to, including Settlebe {phonetic} and  
14     Kabul and Bagram and Nodrick {phonetic}.

15           Q.     But the only time you had spent  
16     in Afghanistan was the period in 1996 up  
17     until you left for the Philippines in early  
18     1997, and then the two weeks after your  
19     return from the Philippines leading up to  
20     where you -- when you swore your bayat.

21            Correct?

22           A.     Yes.

23           Q.     And within that total time  
24     frame up to the point that you swore your  
25     bayat to bin Laden in September of 1997, your

This Transcript Contains Confidential Material

1 interactions with the al-Qaeda leadership had  
2 been limited to the brief interaction you had  
3 with bin Laden and Abu Hafs al-Masri in 1996.

4 Correct?

5 MR. SEQUEIRA: Objection.

6 Vague.

7 You may answer.

8 THE WITNESS: No.

9 QUESTIONS BY MR. CARTER:

10 Q. What other interactions did you  
11 have in 1996 and 1997?

12 A. Well, if you read the book, in  
13 1997 I had long interaction of several days  
14 with the head of bin Laden's bodyguards  
15 trying to recruit me.

16 Q. And that would have been Abu  
17 Hamza al-Ghamdi?

18 A. Yes.

19 Q. His recruitment of you during  
20 that period did not involve disclosure of any  
21 sensitive aspects of al-Qaeda's finances.

22 Did it?

23 A. That's not exactly true. The  
24 whole issue of talking about an organization  
25 is talking about how it functioned as a



~~This Transcript Contains Confidential Material~~

1 whole, as a body. And it's not like an -- I  
2 mean, this is a -- an organization that  
3 without any merit.

4 There is a finance department.  
5 There is a military department. There is an  
6 ideological department. And then when you  
7 put them all as a whole, you have an  
8 organization. So of course you would be  
9 talking about how well-funded they are.

10 Q. You're describing in the  
11 testimony you just offered an organizational  
12 structure of al-Qaeda during that time  
13 period.

14 Correct?

15 A. Yes.

16 Q. Al-Qaeda had a Shura Council or  
17 an advisory body headed by bin Laden.

18 Is that correct?

19 A. Context here. It's -- the name  
20 wasn't so much -- they called it the Shura  
21 Council, but in fact it was also an executive  
22 council. So it was comprising of, you know,  
23 people who were the decision-makers, yes.

24 Q. And then subordinated to that,  
25 they had specific committees for a military

This Transcript Contains Confidential Material

1 committee, a finance committee, a Sharia or  
2 Islamic law committee, and a propaganda  
3 committee.

4 Is that all correct?

5 A. And the training and the  
6 logistics, yes, and the media. It wasn't  
7 just only limited to that.

8 Q. And as of this point in time  
9 that you swore bayat to bin Laden, were you a  
10 member of any of those committees?

11 A. No. At that point, no.

12 Q. Had you attended meetings of  
13 any of those committees?

14 A. Later, yes.

15 Q. I didn't ask later. Up until  
16 this point in time of September --

17 A. In late --

18 Q. Excuse me?

19 A. In later times, yes.

20 Q. What are the later times where  
21 you attended those meetings?

22 A. '98, '99, 2000, 2001.

23 Q. Do you recount in your book any  
24 event where you attended a meeting of  
25 al-Qaeda's finance committee prior to



1 September 11, 2001?

2 A. In the book, I talk about the  
3 business I was doing for the al-Qaeda finance  
4 department.

5 Q. In your book, do you ever  
6 recount having been present in the  
7 pre-2000 -- pre-September 11, 2001 period at  
8 a meeting of the al-Qaeda finance committee?

9 MR. SEQUEIRA: Objection.

10 Vague.

11 You may answer.

12 THE WITNESS: Again, I have met  
13 members of the al-Qaeda finance  
14 committee many times, and there were  
15 no formal meetings. It was always  
16 informal. Everything was informal  
17 within the organization.

18 And the meetings were always  
19 about the business that I was  
20 conducting on their behalf.

21 QUESTIONS BY MR. CARTER:

22 Q. This is about the honey  
23 business that you were conducting?

24 A. And other things, yes.

25 Q. What other things?

This Transcript Contains Confidential Material

1           A.       Himalayan pink salt and other  
2       spices.

3           Q.       This is about the commercial  
4       enterprises that you were operating?

5           A.       Yes.

6           Q.       Turning back to the time  
7       period, am I correct that not long after you  
8       swore bayat to bin Laden, you became sick  
9       with malaria?

10          A.       Yes, I was.

11          Q.       And this would have been in  
12       late 1997?

13          A.       In December 1997, yes.

14          Q.       You left Afghanistan at that  
15       time to seek treatment?

16          A.       Yes.

17          Q.       How long were you gone?

18          A.       Roughly three weeks.

19          Q.       It indicates you were back in  
20       Afghanistan in January of 1998 in your book.

21                   Is that correct?

22          A.       Yes.

23          Q.       You indicate in your book that  
24       at that time you were still too sick to  
25       travel to Darunta, so you spent some period



1 of time discussing religious issues with  
2 less-educated al-Qaeda members.

3 Is that correct?

4 A. Yes.

5 Q. How long did you stay at the  
6 Farouq camp during that period?

7 A. Roughly about either two and a  
8 half or three months.

9 Q. Is that when you were sent to  
10 London in April of 1998 to pick up a  
11 satellite phone?

12 A. Yes.

13 Q. You spent a short time in  
14 London and then went back to Afghanistan?

15 MR. SEQUEIRA: Objection.

16 Vague.

17 You may answer.

18 THE WITNESS: Yes.

19 QUESTIONS BY MR. CARTER:

20 Q. You were in Afghanistan then  
21 from your return to London sometime in April  
22 or May all the way through the embassy  
23 bombings in August of 1998?

24 MR. SEQUEIRA: Objection.

25 Form. Vague.

This Transcript Contains Confidential Material

1                   You may answer.

2                   THE WITNESS: Yes.

3           QUESTIONS BY MR. CARTER:

4           Q.       Where were you during that  
5           period of time after you returned from London  
6           up until the date of the embassy bombings?

7           A.       Mostly in Darunta.

8           Q.       What were you doing in Darunta?

9           A.       Continuing my training with Abu  
10          Khabab.

11          Q.       Was Abu Khabab a member of  
12          al-Qaeda?

13          A.       For context, Abu Khabab at that  
14          time was independent, but he was accepting  
15          students from al-Qaeda as long as al-Qaeda  
16          paid him.

17          Q.       So he was not a member of  
18          al-Qaeda?

19          A.       At that time, no.

20          Q.       And the focus of your work at  
21          Darunta was on bomb making.

22                   Correct?

23          A.       Yes.

24          Q.       And during this period from  
25          your return from London through the embassy



This Transcript Contains Confidential Material

1 bombings, were you in the Darunta camp  
2 essentially the entire time?

3 A. There were some stints in the  
4 Farouq camp.

5 Q. But your base of operations was  
6 Darunta?

7 A. To the extent, yeah.

8 Q. And during that period, was any  
9 of al-Qaeda's leadership headquartered at the  
10 Darunta camp where you were working with Abu  
11 Khabab?

12 A. Some al-Qaeda leaders were  
13 stationed just across the hill, about five  
14 minutes' walk, yes.

15 Q. Who was there?

16 A. You want me to, you know, name  
17 the al-Qaeda leaders who were just in the  
18 vicinity?

19 Q. Yes.

20 A. Yeah. I mean, Mustafa Abu  
21 Yazid, Rahim al-Har Seyasa {phonetic}. Yeah.  
22 So there were several people who were  
23 stationed there. Abu Hafs al-Masri. Abu  
24 Mohammed, who was responsible for the  
25 training, was there for a few months.

This Transcript Contains Confidential Material

1 Q. Were any members of al-Qaeda's  
2 finance committee headquartered in --

3 A. Abu Hafs al-Masri. I just  
4 mentioned his name.

5 Q. And that's Mohammed Atef?

6 A. Mohammed Atef is Abu Hafs.

7 Q. Yes, that's what I'm saying.

8 A. Yeah. I didn't say Abu Hafs.  
9 I said Abu Harras.

10 Q. Ah-ha. Thank you.

11 You indicate in your book that  
12 the embassy bombings caused you to rethink  
13 your involvement in al-Qaeda?

14 A. Yes.

15 MR. SEQUEIRA: Objection to  
16 form.

17 You may answer.

18 QUESTIONS BY MR. CARTER:

19 Q. And that was because, you  
20 recount in your book, the attacks had  
21 targeted civilians?

22 A. Yes.

23 Q. Did that surprise you?

24 A. Yes.

25 And the context here, that when



This Transcript Contains Confidential Material

1 I was recruited into al-Qaeda, Abu Hamza  
2 al-Ghamdi was talking to me about a campaign  
3 against the US forces that was targeting  
4 military. He gave the examples of Beirut.  
5 He gave the examples of Somalia.

6 I wasn't joining in order to  
7 make bombs to kill poor African people just  
8 going about their daily lives.

9 Q. Prior to the bombings actually  
10 occurring, did you have any awareness that  
11 they were being planned?

12 MR. SEQUEIRA: Objection.

13 Vague.

14 You may answer.

15 THE WITNESS: No, I wasn't  
16 aware.

17 QUESTIONS BY MR. CARTER:

18 Q. So you were surprised by the  
19 embassy bombings?

20 A. I was surprised that the  
21 embassy were the targets.

22 Q. So as of the date of the  
23 embassy bombings in August of 1998, you still  
24 lacked a basic understanding of al-Qaeda's  
25 true nature.

This Transcript Contains Confidential Material

1 Correct?

2 MR. SEQUEIRA: Objection.

3 Vague. Form.

4 You may answer.

5 THE WITNESS: I think the --  
6 based on my recollection, my  
7 understanding and my later years of  
8 research, the majority of those who  
9 were part of al-Qaeda were surprised  
10 at the choice of the targets.

11 QUESTIONS BY MR. CARTER:

12 Q. Well, bin Laden had, prior to  
13 the embassy bombings, declared al-Qaeda's  
14 intent to target Americans wherever they  
15 could be found, civilian or military, had he  
16 not?

17 A. That was in the declaration of  
18 February 1992, yes.

19 Q. I think you misspoke about the  
20 date.

21 When was that declaration?

22 A. Oh, May 1998.

23 Q. You did not take him at his  
24 word?

25 A. In all honesty, I wasn't even



This Transcript Contains Confidential Material

1     paying attention to what was he was saying at  
2     that time because he wasn't a farouk  
3     {phonetic}. And, of course, then I was in  
4     Darunta at that time.

5             Q.     And what were you doing in  
6     those -- what were you doing in those  
7     locations?

8             A.     I just arrived from London.

9             Q.     Well, what were you doing in  
10    the camps?

11            A.     Training.

12            Q.     For what?

13            A.     Can you repeat the question  
14    again?

15            Q.     What did your training consist  
16    of?

17            A.     Bomb making, chemical weapons.

18            Q.     And that was the focus of your  
19    activity in al-Qaeda during this period  
20    through the embassy bombings.

21                    Correct?

22            A.     No, because they just sent me  
23    on a mission for logistics.

24            Q.     And that was to pick up a  
25    satellite phone?

This Transcript Contains Confidential Material

1 A. And cash.

2 Q. Who had raised the cash?

3 A. At that time it was an al-Qaeda  
4 affiliated cleric in London.

5 Q. And was that Abu Hamza  
6 al-Masri?

7 A. No.

8 Q. Who was it?

9 A. I'm not at liberty to say this  
10 at the moment.

11 Q. How much cash did he provide to  
12 you to return to al-Qaeda?

13 A. I'm not at liberty to discuss  
14 this at the moment.

15 Q. The person you obtained this  
16 was some kind of financial facilitator who  
17 was raising money for al-Qaeda?

18 MR. SEQUEIRA: Objection to  
19 form.

20 You may answer.

21 THE WITNESS: Can you repeat  
22 the question again?

23 QUESTIONS BY MR. CARTER:

24 Q. There was a cleric in London  
25 who was raising money for al-Qaeda.



This Transcript Contains Confidential Material

1 Correct?

2 A. Yes.

3 Q. And you were sent by al-Qaeda  
4 to go pick up that money.

5 A. Yes.

6 Q. Correct?

7 A. Yes.

8 Q. And do you know who he raised  
9 the money from?

10 A. I don't know the source of the  
11 funds. I just know that I'm supposed to  
12 carry them and bring them back to  
13 Afghanistan.

14 Q. So the al-Qaeda leadership  
15 didn't tell you anything about the  
16 fundraising sources. They just told you to  
17 go pick up the money and bring it back.

18 Correct?

19 A. Context. The fundraising  
20 doesn't work in the sense that every penny  
21 you will know where it came from exactly.  
22 So, for example, like if that cleric is given  
23 money by, let's say, 20 or 30 individuals, he  
24 is not going to take their names down and  
25 then send a full account statement with me

This Transcript Contains Confidential Material

1 back to al-Qaeda to say there is 30 or 40  
2 people who donated.

3 At the end of the day, his job  
4 is to protect those who donated, and then he  
5 will give me that. I know that this is the  
6 cleric who gave me the money, and I know who  
7 to give it back to in Afghanistan.

8 Q. Before being sent on the  
9 mission, were you aware of the involvement of  
10 that cleric in raising money for al-Qaeda?

11 A. Yes.

12 Q. Who had told you about it?

13 A. Because I knew that cleric very  
14 well.

15 Q. How did you know him?

16 A. I knew that cleric because of  
17 his writings, because of his teachings.

18 Q. But how did you know that he  
19 was raising money for al-Qaeda?

20 A. Because I was told by to go  
21 pick up the money from him.

22 Q. And that was my question.

23 Before you were told to go pick  
24 up the money from him, you were unaware of  
25 his role in raising money for al-Qaeda?



This Transcript Contains Confidential Material

1 Correct?

2 A. No. His role in terms of  
3 raising money for al-Qaeda was more or less  
4 an open secret within the organization.

5 Q. Well, who told you about his  
6 involvement?

7 A. You're asking about -- you  
8 know, this is a common knowledge between us.

9 Q. As I understand what you just  
10 described, the money that this cleric had  
11 collected was provided by donors.

12 Correct?

13 A. Yes.

14 Q. And that was the source of  
15 funds being provided to al-Qaeda in April  
16 of 1998?

17 A. Yes.

18 Q. You've offered opinions in this  
19 case about the sources of al-Qaeda's  
20 financing.

21 Correct?

22 A. Yes.

23 Q. And you have offered opinions  
24 that discount the significance of funds  
25 provided by donors, have you not?

This Transcript Contains Confidential Material

1           A.       Can you point me to the section  
2       in my report where I state that, please?

3           Q.       Well, let me ask you another  
4       way.

5           A.       Okay.

6           Q.       During this period that we're  
7       talking about, 1998, were contributions from  
8       sympathetic donors a significant source of  
9       funding for al-Qaeda?

10          A.       Yes. I stated that.

11          Q.       Do you know what percentage of  
12       al-Qaeda's funding was provided by such  
13       donors during this 1998 period?

14          A.       At that time, I understood that  
15       to be roughly about either a quarter or a  
16       third.

17          Q.       And what was the basis of that  
18       understanding?

19          A.       Based on the common knowledge  
20       that I have gained from interacting with  
21       members of the al-Qaeda leadership through my  
22       work undercover and my cover story as a  
23       business facilitator for them.

24          Q.       Well, at the time we're talking  
25       about up through the embassy bombings, all



This Transcript Contains Confidential Material

1 the way through the end of 1998, you weren't  
2 working undercover for anyone, were you?

3 A. Yes. Yes, I wasn't.

4 Q. Okay. So you were -- you  
5 were -- throughout that period, you were not  
6 working undercover for MI6; you were a member  
7 of al-Qaeda.

8 Correct?

9 A. Of course.

10 Q. So we're trying to understand  
11 the basis of your understanding about the  
12 contributions of donors during this period,  
13 and we're talking about 1998. So that  
14 couldn't be based on your undercover work.

15 Fair?

16 A. It was based on my interaction  
17 with the leadership by them trusting me  
18 enough to go and pick up from a well-known  
19 and well-respected cleric, to take the money  
20 from him and bring it back to them.

21 The whole idea is, if they  
22 trusted me enough to do that, then that is  
23 more than what can be said for other  
24 colleagues of mine at that time.

25 Q. Well, it doesn't mean that they

~~This Transcript Contains Confidential Material~~

1 provided you with a complete accounting of  
2 all sources of al-Qaeda's financing at that  
3 time, does it?

4 A. Al-Qaeda is a clandestine  
5 organization, so they operate on the need to  
6 know. I do accept that.

7 What I need to put it within  
8 context is the fact that if they trusted me  
9 enough in order to let me see and let me  
10 actually know about one of their sources of  
11 funding, that was the beginning for more  
12 understanding than later about other sources  
13 of funding.

14 And also, the fact that once  
15 you start to do this once, the next step will  
16 be for me to go and pick up the cash from  
17 another point, which happened quite often.

18 Q. So it was -- you're saying that  
19 picking up cash from donors for al-Qaeda was  
20 something that you did quite often.

21 Correct?

22 A. Yes.

23 MR. SEQUEIRA: Sean, are we  
24 about ready to take a break?

25 MR. CARTER: Sure.



1 VIDEOPHOTOGRAPHER: Going off the  
2 record. The time is 4 p.m.

3 (Off the record at 4:00 p.m.)

4 VIDEOPHOTOGRAPHER: We're back on  
5 the record at 4:15 p.m.

6 QUESTIONS BY MR. CARTER:

7 Q. Mr. Dean, I want to go back a  
8 little bit and touch upon a few basic issues.

9 A. Uh-huh.

10 Q. Your book, Nine Lives, recounts  
11 your indoctrination into jihadist ideology,  
12 your experiences in Bosnia leading up to your  
13 training in Afghanistan and joinder of  
14 al-Qaeda, and then your later involvement as  
15 a covert operative for MI6 inside al-Qaeda.

16 Correct?

17 A. Yes.

18 Q. In writing the book, did you  
19 endeavor to provide readers with an accurate  
20 recounting of your experiences?

21 A. Yes.

22 Q. Did you endeavor to provide  
23 readers with what you viewed to be the most  
24 significant aspects of your experiences?

25 MR. SEQUEIRA: Objection.

This Transcript Contains Confidential Material

1 Vague. Overbroad.

2 You may answer.

3 THE WITNESS: Yes, I did.

4 QUESTIONS BY MR. CARTER:

5 Q. That included your most  
6 significant experiences with members of  
7 al-Qaeda's leadership.

8 Correct?

9 MR. SEQUEIRA: Objection.

10 Vague.

11 You may answer.

12 THE WITNESS: Yes, indeed.

13 QUESTIONS BY MR. CARTER:

14 Q. Before we took a break, we had  
15 discussed your claimed surprise about the  
16 targeting of civilian infrastructures in the  
17 embassy bombings in 1998.

18 Do you recall that?

19 MR. SEQUEIRA: Objection.

20 Form.

21 You may answer.

22 THE WITNESS: Yes, I was.

23 QUESTIONS BY MR. CARTER:

24 Q. I noted as part of my  
25 questioning on that that bin Laden had issued



~~This Transcript Contains Confidential Material~~

1 a public Fatwa prior to the embassy bombings  
2 declaring al-Qaeda's intent to target  
3 Americans wherever they could be found,  
4 whether civilian or military.

5 Do you recall that?

6 A. I was aware of that, yes.

7 Q. And I believe you testified  
8 that the Fatwa issued in May or so of 1998.

9 Correct?

10 A. Yes.

11 Q. You testified, as I recall,  
12 that you weren't paying attention to it at  
13 the time because you were focused on your  
14 training in bomb making.

15 Is that accurate?

16 A. And other missions, yes.

17 Q. The Fatwa bin Laden issued in  
18 May of 1998 was an official statement of  
19 al-Qaeda's intent and its justification for  
20 carrying out attacks.

21 Was it not?

22 A. It was a justification for  
23 attacks primarily aimed at the US presence in  
24 the Middle East, yes.

25 Q. It was the most prominent

This Transcript Contains Confidential Material

1 public statement al-Qaeda had issued about  
2 that purpose and objective at any point in  
3 time up to that date.

4 Wasn't it?

5 MR. SEQUEIRA: Objection.

6 Vague.

7 You may answer.

8 THE WITNESS: There were many  
9 others sermons and announcements and  
10 pronouncements. There were many  
11 different other publications of  
12 al-Qaeda. So at that time, it wasn't  
13 something that was out of the ordinary  
14 in terms of how often there were  
15 announcements of that sort.

16 QUESTIONS BY MR. CARTER:

17 Q. In the case of the 1998 Fatwa,  
18 al-Qaeda's propaganda operatus -- apparatus  
19 made sure that it was distributed broadly to  
20 media throughout the world.

21 Didn't they?

22 A. Yes, my understanding at that  
23 time. However, we inside the camps at that  
24 time did not have, you know, access to the  
25 global media.



This Transcript Contains Confidential Material

1 Q. So you're saying that the  
2 people inside the camps were unfamiliar with  
3 this critical declaration of jihad by  
4 al-Qaeda's leader at the time it issued?

5 MR. SEQUEIRA: Objection to  
6 form.

7 You may answer.

8 THE WITNESS: The strategy was  
9 more or less known that the enemy was  
10 defined at that time as the United  
11 States and the United States military  
12 presence in the Middle East.

13 However, as I have stated  
14 before, Afghanistan is a black hole of  
15 information. There is no, you know,  
16 radio stations. There is no TV.  
17 There is no, you know, mobile phones  
18 or land lines.

19 And so the ability, you know,  
20 to understand what was taking place or  
21 how al-Qaeda's announcements were  
22 received by the outside world, we  
23 wouldn't know, necessarily.

24 Only few people had radios, you  
25 know, to use and to listen to the news

1           between now and then.

2       QUESTIONS BY MR. CARTER:

3           Q.       Were you -- are you saying that  
4       at that time you were essentially unaware  
5       that the al-Qaeda leadership had issued a  
6       public Fatwa and distributed it throughout  
7       the world declaring its intent to target  
8       civilians?

9           A.       At that time, I'm aware of a  
10      declaration of war that was issued.

11                   And I might have read this  
12      content at that time; however, I did not  
13      deduce from it that we are about to embark on  
14      a campaign to kill African civilians. That's  
15      not what I had imagined.

16          Q.       Before issuing that Fatwa, it  
17      would have -- based on your experience in  
18      al-Qaeda, wouldn't it have needed approval of  
19      al-Qaeda's leadership?

20          A.       You mean the Fatwa?

21          Q.       Yes.

22          A.       It will have been issued by  
23      al-Qaeda's -- it would have been issued by  
24      al-Qaeda's religious committee.

25          Q.       And you were unaware that it



This Transcript Contains Confidential Material

1 was going to be issued before it was  
2 published?

3 A. I was not aware of it before it  
4 was published, no.

5 Q. Just to clarify, you're saying  
6 that you did not at that time pay attention  
7 to the aspects of it that specifically  
8 announced al-Qaeda's intention to target  
9 civilians?

10 A. I state again that I did not  
11 deduce from that Fatwa that we are about to  
12 embark on a campaign to kill innocent African  
13 civilians.

14 Q. Well, what about American  
15 civilians?

16 A. That included.

17 Q. Well, that's what I'm asking  
18 you. The Fatwa itself specifically indicates  
19 that al-Qaeda viewed American civilians as  
20 legitimate targets.

21 Were you unaware that that  
22 proclamation had been issued prior to the  
23 embassy bombings occurring?

24 A. I was aware of that Fatwa, and  
25 again I tell you, I deduced from it nothing

This Transcript Contains Confidential Material

1 to suggest that we are going to go on a  
2 campaign to kill an indiscriminate number of  
3 civilians.

4 Q. The African embassy bombings,  
5 do you know how long those were planned  
6 before being carried out?

7 A. No, I wasn't aware.

8 Q. There is indications in various  
9 government reports that al-Qaeda planned  
10 those attacks for five years before they were  
11 conducted.

12 Are you aware of that  
13 information?

14 A. I'm aware only of what was  
15 discussed within the confines of al-Qaeda  
16 that the start of it was about 1994.

17 Q. Well, did you have any  
18 awareness of the planning of the embassy  
19 bombings before they were carried out?

20 A. No.

21 Q. You mentioned during your  
22 testimony that you were sent to London in  
23 April of 1998 to pick up money from a  
24 sympathetic cleric in London.

25 Correct?



This Transcript Contains Confidential Material

1 A. Yes.

2 Q. You've indicated to me that you  
3 can't tell me who the cleric is or the amount  
4 of money that you received.

5 Correct?

6 A. Yes.

7 Q. Why can't you tell me those  
8 things?

9 A. Because this is a subject of an  
10 intelligence that I've shared with the US --  
11 UK intelligence in later times, and it became  
12 part of my restrictions because of my status  
13 being a signatory of the Official Secrets  
14 Act.

15 Q. In your book, you talk openly  
16 about other contributors to militants.

17 Don't you?

18 A. Can you point me out to that  
19 passage, please?

20 Q. Well, I think, for example, in  
21 your book, don't you recount that Abu Hamza  
22 al-Masri, who was the imam at the Finsbury  
23 Park mosque in London, raised moneys for  
24 Chechen fighters?

25 A. Can you please point to that

1 passage?

2 Q. You claim in your book to have  
3 a photographic memory?

4 A. Yes, I did claim that.

5 Q. Do you recall in your book  
6 recounting that Abu Hamza al-Masri had been a  
7 significant source of fundraising for the  
8 Chechen militants?

9 A. No.

10 Q. You recount in your book that  
11 Abu Hamza al-Masri raised funds for Abu  
12 Khabab's Darunta camp.

13 Correct?

14 A. Yes.

15 Q. And you recount in your book  
16 that Al-Haramain provided funding to Ibn  
17 Khattab in Chechnya.

18 Correct?

19 MR. SEQUEIRA: Objection.

20 Vague as to Al-Haramain.

21 THE WITNESS: Could you specify  
22 which Al-Haramain you mean?

23 QUESTIONS BY MR. CARTER:

24 Q. The Al-Haramain branch in Baku,  
25 Azerbaijan, provided funding to Ibn Khattab?



This Transcript Contains Confidential Material

1 A. Yes.

2 Q. And he was a military commander  
3 in Chechnya?

4 A. He was a commander of the  
5 Mujahideen contingent in Chechnya, yes.

6 Q. Can you -- did you share the  
7 details of Abu Hamza al-Masri's funding for  
8 the Darunta camp with British intelligence?

9 A. At that time, yes.

10 Q. Can you explain to me why you  
11 were permitted to discuss that funding  
12 mechanism in public but you can't tell me  
13 about the money you picked up in London in  
14 April of 1998?

15 A. Well, because of the fact that  
16 that money that Abu Hamza provided was in  
17 link to a kidnapping situation that was  
18 taking place in Yemen and a terror attack  
19 that was taking place in Yemen.

20 Q. What I'm trying to understand  
21 is why you are permitted to disclose details  
22 of certain specific funding events that you  
23 have previously shared with British  
24 intelligence but can't tell me any details  
25 about the April 1998 event where you picked

This Transcript Contains Confidential Material

1 up money from an imam in London.

2 A. I'm not at liberty at the  
3 moment to discuss why I cannot discuss the  
4 identity of that imam.

5 MR. SHEPS: Sean, I sent a text  
6 on something.

7 MR. CARTER: All right.

8 QUESTIONS BY MR. CARTER:

9 Q. In your book, on page 113 you  
10 discuss another incident in which al-Qaeda  
11 leadership tasked you to pick up funds.

12 Correct?

13 A. Yes.

14 Q. This involved you going to a  
15 money transfer office in Islamabad with a  
16 message that Dr. Mariam sent me to collect  
17 this fee for the operation.

18 Correct?

19 A. Yes.

20 Q. And in connection with that  
21 tasking, did the al-Qaeda leadership at the  
22 time tell you who Dr. Mariam was?

23 A. No.

24 Q. That was not information that  
25 they thought you needed to know?



This Transcript Contains Confidential Material

1 A. No.

2 Q. And because of that, they  
3 didn't share it with you.

4 Correct?

5 A. No, they did not share with me  
6 the identity of the -- you know, who  
7 Dr. Mariam is.

8 Q. That was because it was  
9 something that was treated as secret within  
10 the al-Qaeda leadership.

11 Correct?

12 A. Yes.

13 Q. In that incident, you picked up  
14 a half million dollars in a single incident?

15 A. Yes.

16 Q. Did you later discern from  
17 other sources that the Mariam who contributed  
18 that money was bin Laden's half-sister?

19 A. Yes.

20 Q. How did you determine that?

21 A. Well, then they -- it was  
22 through discussion within the al-Qaeda  
23 leadership.

24 Q. And when did you discover that  
25 information?

This Transcript Contains Confidential Material

1           A.       Roughly, I just -- weeks later  
2     after the event.

3           Q.       Well, you say in your book,  
4     "Much later, I discovered that Dr. Mariam was  
5     a code word used for transfers to Osama bin  
6     Laden from one of his sisters."

7                    So that wouldn't just be weeks,  
8     would it?

9           A.       Well, weeks, months, it's not  
10    exactly like I'm in a question of semantics  
11    here. I could say six weeks, and it's month  
12    and a half.

13          Q.       Well, six weeks and a month and  
14    a half wouldn't normally be described as much  
15    later.

16                    Would it?

17          A.       It is a matter of just few  
18    weeks.

19          Q.       So the description that you  
20    discovered this information "much later" in  
21    your book is not accurate.

22                    Correct? That's your testimony  
23    now?

24          A.       Much later could be like, I  
25    mean, either the next day or the -- you know,



This Transcript Contains Confidential Material

1 it could be like, I mean, two months later.  
2 It all -- it all depends on the fact that it  
3 wasn't discovered at that moment.

4 Q. That's your view on the meaning  
5 of the phrase "much later"?

6 MR. SEQUEIRA: Objection to  
7 form.

8 THE WITNESS: I will answer  
9 this by saying, and I'm being honest  
10 and genuine here, that for us, like at  
11 that time, since our life expectancies  
12 were quite short, "much later" could  
13 be referred to about half an hour  
14 after.

15 QUESTIONS BY MR. CARTER:

16 Q. You weren't writing this book  
17 at the time you count -- you -- these  
18 experiences were occurring. You wrote this  
19 book many years later when your life  
20 expectancy was not short at all.

21 Correct?

22 A. It all depends, really,  
23 Counsel. I mean, it always depends. I mean,  
24 I -- sense of danger hasn't left even since I  
25 left the al-Qaeda or left, you know, working

This Transcript Contains Confidential Material

1 for the UK intelligence services.

2 Q. So it's your testimony today  
3 that even though your book said, "much later  
4 I discovered that Dr. Mariam was a code word  
5 used for transfers to Osama bin Laden from  
6 one of his sisters," you're now testifying  
7 that you received that information from  
8 al-Qaeda leadership within weeks of that  
9 event.

10 That's correct?

11 MR. SEQUEIRA: Objection.

12 He's answered the question,

13 Mr. Carter.

14 QUESTIONS BY MR. CARTER:

15 Q. Is that correct?

16 A. I answered the question  
17 already.

18 Q. In your report, Mr. Dean, you  
19 indicate in the section Materials Considered,  
20 "In addition to the materials referenced in  
21 my report and in plaintiff's expert reports  
22 and appendices, I considered the following  
23 materials," and then you list Documents 1  
24 through 7.

25 Did you review each and every



This Transcript Contains Confidential Material

1 of the documents referenced in plaintiffs'  
2 expert reports and appendices?

3 A. Yes. Not each one, but, yes.

4 Q. Oh, wait. Is it not each one  
5 or yes? They're different answers.

6 A. Yes.

7 Q. You reviewed every single one  
8 of the ARB banking records that is referenced  
9 in Mr. Winer's report?

10 A. Not all of them.

11 Q. Did you read each and every one  
12 of the CIA reports referenced in the Winer  
13 and Kohlmann reports?

14 A. Yes.

15 Q. You testified that you didn't  
16 read each and every one of the Al Rajhi  
17 banking records cited in those reports.

18 Were there other materials  
19 cited in the reports that you did not review?

20 A. Can you just specify, please?

21 (Pasley Exhibit 3 previously  
22 marked and referenced.)

23 QUESTIONS BY MR. CARTER:

24 Q. Sure.

25 If we can, can we pull up

This Transcript Contains Confidential Material

1 the Winer report that was previously marked  
2 as an exhibit?

3 It's number 57. Sorry.

4 And if we can, can we go to the  
5 appendix of the materials considered?

6 MR. SEQUEIRA: And he's not  
7 referring to page 57. That's  
8 Exhibit 57.

9 QUESTIONS BY MR. CARTER:

10 Q. Mr. Dean, are you at the  
11 section of Mr. Winer's report entitled  
12 "Listing of Reliance Materials and Materials  
13 Considered"?

14 A. Which page?

15 Q. Should be in front of you on  
16 the screen.

17 A. Okay. Yeah, I see.

18 Q. Okay. If we can just page  
19 through that. Continue. Continue.  
20 Continue. Continue. Continue. Continue.  
21 Continue. Continue.

22 So there are 172 sets of  
23 documents referenced in this, including a  
24 citation to materials referenced in the body  
25 of the report itself.



This Transcript Contains Confidential Material

1                   Sitting here today, can you  
2    tell me which of those materials you did  
3    review and which of them you did not?

4           A.       I reviewed the 9/11 Commission  
5    report. I reviewed the CIA report cited as  
6    well as some of the articles were cited.

7           Q.       But you didn't review all of  
8    these materials.

9                   Correct?

10          A.       Not all of them, no.

11          Q.       And your report, you would  
12    agree, doesn't specifically tell me which of  
13    them you did review and which you did not.

14                   Does it?

15          A.       No.

16          Q.       Turning back to the timeline of  
17    your experience, you indicate that -- you've  
18    indicated that the embassy bombings caused  
19    you to rethink your commitment to al-Qaeda.

20                   Is that correct?

21          A.       Yes.

22          Q.       Can you explain to me why the  
23    embassy bombings triggered that response from  
24    you but the massacre you witnessed in Bosnia  
25    did not?

This Transcript Contains Confidential Material

1 MR. SEQUEIRA: Objection.

2 Misstates his testimony.

3 You may answer the question, if  
4 you can.

5 THE WITNESS: Once again,  
6 Mr. Carter, I think if I am looking  
7 back at what happened in Bosnia at  
8 that time, at the time I spent  
9 14 months in the conflict, the  
10 conflict was harrowing, and it was  
11 classified by the United Nations as  
12 genocide.

13 And for me, the events that  
14 took place at that day was not only  
15 something I regret having been there  
16 or regret having watched, even, but  
17 also condemned the fact that it was a  
18 waste of a big opportunity to liberate  
19 as many civilians as possible using  
20 these captive militias as a way to  
21 exchange, you know, them for. So  
22 that's the first thing.

23 But nonetheless, the question  
24 is, why did I go there in the first  
25 place?



This Transcript Contains Confidential Material

1 I mentioned it again -- or I  
2 mention it again. It is to protect  
3 people, to protect lives. For me,  
4 what was happening in Chechnya was  
5 equally as ugly as what was happening  
6 in Bosnia. Peoples' right to  
7 self-determination trampled upon by a  
8 superior power, and I felt compelled  
9 to go and do that.

10 However, what happened in east  
11 Africa in August 4th of 1998, was a  
12 different thing altogether, because  
13 this is when I realized that this is  
14 the first opening shot of al-Qaeda's  
15 long-promised war against the US. And  
16 it turned out to be a lie that they  
17 were not going to attack US military  
18 as they have insinuated. It's not  
19 going to be Beirut. It's going to be  
20 something else completely different.

21 I did not sign up for that. My  
22 moral compass was pointing true north,  
23 and I decided that this is where my --  
24 the people that have fought alongside  
25 with were going somewhere where I

This Transcript Contains Confidential Material

1           can't follow anymore.

2                       So I decided that this is not  
3           the place for me. I can't -- I need  
4           to leave.

5   QUESTIONS BY MR. CARTER:

6           Q.       Mr. Dean, you indicated that  
7           you were motivated to go to Chechnya because  
8           you saw it through the same lens as Bosnia.

9                       Correct?

10          A.       Yes.

11          Q.       But when you couldn't get into  
12       Chechnya, you didn't go home.

13                      Did you?

14          A.       No, I didn't go home.

15          Q.       You went to Afghanistan to  
16       train in the jihad camps there.

17                      Correct?

18          A.       Yes.

19          Q.       And that was for purposes of  
20       training for a broader jihad.

21                      Wasn't it?

22          A.       That was for the purposes of  
23       gaining better military experience so I may  
24       be more useful in another Bosnia or another  
25       Chechnya.



This Transcript Contains Confidential Material

1 Q. And the result of that was you  
2 swearing an oath to Osama bin Laden in  
3 September of 1997.

4 Right?

5 A. I explained the circumstances  
6 through which I was recruited into al-Qaeda,  
7 Mr. Carter, very -- in good details in the  
8 book that you seem to be quoting here so  
9 much. So, yeah.

10 Q. You've referenced your claim of  
11 disenchantment with al-Qaeda after the  
12 embassy bombings.

13 I understand that you remained  
14 in Afghanistan from the date of the embassy  
15 bombings until about November of 1998.

16 Correct?

17 A. Yes.

18 Q. And in November of 1998, you  
19 left Afghanistan to go to Qatar.

20 Correct?

21 A. Yes.

22 Q. And you had been in Qatar the  
23 year prior for medical treatment for malaria?

24 A. Yes.

25 Q. And at the time, the physicians

This Transcript Contains Confidential Material

1 who treated you directed you to come back in  
2 12 months?

3 A. Yes.

4 Q. And when you returned to Qatar  
5 in November 1998, were you detained by the  
6 Qatari security forces shortly after  
7 arriving?

8 A. Yes.

9 Q. The Qatari security forces were  
10 aware of your activities in al-Qaeda?

11 A. Yes.

12 Q. You were subjected to  
13 interrogation by the Qatari security forces  
14 at that time?

15 A. Initially, yes.

16 Q. And at a certain point, they  
17 indicated that they intended to turn you over  
18 to the French security forces with whom they  
19 had been discussing your interrogation.

20 Is that correct?

21 MR. SEQUEIRA: Objection to  
22 form.

23 You may answer.

24 THE WITNESS: No. That's not  
25 what happened.



This Transcript Contains Confidential Material

1 QUESTIONS BY MR. CARTER:

2 Q. Okay. Tell me what happened.

3 A. Well, what happened, according  
4 to my recollection and as I stated in the  
5 book, that the conversation with the Qatari  
6 authorities for the following eight days were  
7 quite friendly, and I was kept in quite a  
8 comfortable situation.

9 And after that, they said to me  
10 that the French would like to talk to you,  
11 but also so does the British and the  
12 Americans.

13 And so I decide -- and the  
14 decision was mine of who to talk to. I  
15 decided to talk to the British at that time.

16 Q. Well, you indicated on page 141  
17 of the book that you asked specifically  
18 whether or not you had a choice.

19 Do you recall that?

20 A. Yeah.

21 Q. And on the same page of the  
22 book, the Qataris indicated that they would  
23 be happy to keep you here, but we can't  
24 protect you if any of your former comrades  
25 find out you've been talking.

This Transcript Contains Confidential Material

1                   Also, word may be spread that  
2     you are in Qatar. There is a risk the Saudis  
3     or Bahrainis will demand your extradition.

4                   Correct?

5           A.     Yes.

6           Q.     And those were the prospects  
7     you were facing at the time?

8           A.     Yes.

9           Q.     And eventually, this  
10    circumstance led you to being turned over to  
11    the British.

12                  Correct?

13           A.     It was my choice at the end of  
14    the day to board that plane and go to London.

15           Q.     If you had not boarded the  
16    plane, there was a possibility that you would  
17    have been turned over to any number of  
18    countries for prosecution.

19                  Isn't there?

20           A.     No, I wasn't indicted anywhere  
21    or charged anywhere in order for me to face  
22    prosecution anywhere.

23                  The reality is that the Qataris  
24    were just worried that Qatar was just too  
25    small, you know, for me to stay. You know,



This Transcript Contains Confidential Material

1 250,000 population, that's a goldfish bowl,  
2 as far as they were concerned. They were  
3 worried for my safety.

4 Q. So you were free to go if you  
5 wanted to?

6 A. I was free to stay in Qatar if  
7 I wanted to, but, you know, the idea was that  
8 at your own risk.

9 Q. And that risk included the risk  
10 that the Saudis or Bahrainis would seek to  
11 extradite you.

12 Correct?

13 A. That risk that would have put  
14 pressure on Qatar, not that they would have  
15 cared about it at that time. They still  
16 believed that the best course of action for  
17 me was to be out of the city.

18 Q. And you ended up, during the  
19 period of January 1999 to June of 1999,  
20 training with British intelligence in London.

21 Correct?

22 A. Yes.

23 Q. And again, your detention by  
24 the Qataris in this December of 1998 time  
25 period just happened to coincide with your

This Transcript Contains Confidential Material

1 disillusionment with al-Qaeda?

2 MR. SEQUEIRA: Objection.

3 Form. Vague.

4 You may answer.

5 THE WITNESS: Can you repeat

6 the question?

7 QUESTIONS BY MR. CARTER:

8 Q. The version of events you  
9 recount in your book is that you had grown  
10 disillusioned with al-Qaeda and used your  
11 medical follow-up in Qatar as a way to leave  
12 the organization.

13 Correct?

14 A. At that time I was -- after the  
15 east Africa bombings, I was looking for a way  
16 out and, therefore, the only pretext that was  
17 available to me was the 12 months' follow-up  
18 to make sure that my liver wasn't damaged by  
19 the malaria and typhoid, by the way, I had a  
20 year earlier.

21 And so, yes, it was the pretext  
22 that kept me another three months there,  
23 waiting for that moment. As soon as I  
24 boarded the plane, I renounced my oath of  
25 allegiance. And as soon as I landed in



This Transcript Contains Confidential Material

1 Qatar, I felt happy that I'm away from that  
2 toxic environment.

3 Q. So the sequence of events was  
4 that you board a plane to go to Qatar and  
5 renounce your allegiance to al-Qaeda, and  
6 that just happens to occur almost immediately  
7 before you're detained by the Qatari security  
8 services?

9 MR. SEQUEIRA: Objection to  
10 form.

11 THE WITNESS: Mr. Carter, the  
12 book details at quite a length, you  
13 know, the soul-searching journey that  
14 took place between 4th of August all  
15 the way until I -- you know, I left.

16 But the decision to leave was  
17 more or less immediate, almost, you  
18 know, by the end of August.

19 I had to wait until November in  
20 order for the pretext to be available  
21 to me. And so as soon as the pretext  
22 was available, I went to the airport  
23 in Peshawar. I took that Qatar  
24 Airways airplane.

25 There, while sitting on my seat

This Transcript Contains Confidential Material

1 before departure, I renounced my  
2 faith -- my oath to al-Qaeda and then  
3 arrived in Qatar.

4 I wasn't expecting even to be  
5 arrested or anything. All I expected  
6 was that it will be a chance for me  
7 from there to determine where -- you  
8 know, where my life would take me  
9 next.

10 QUESTIONS BY MR. CARTER:

11 Q. So your decision to leave  
12 al-Qaeda, as you framed it, had nothing to do  
13 with the fact that you were detained by the  
14 Qatari security services and facing  
15 potentially severe consequences for the  
16 activities you carried out in al-Qaeda?

17 MR. SEQUEIRA: Objection to  
18 form.

19 You may answer.

20 THE WITNESS: I don't know  
21 which book version you read,  
22 Mr. Carter. I mean, the Qataris were  
23 extremely happy to have me there, as I  
24 have mentioned.

25 And at the same time, the fact



1 of the matter is that the Qataris  
2 offered. They said, you can stay.  
3 It's just we believe it would be risky  
4 for you.

5 They understood the sincerity  
6 of, you know, my interaction with  
7 them, and they decided that it was  
8 good enough, you know, for even three  
9 global powers for them to trust me  
10 enough to talk to me.

11 QUESTIONS BY MR. CARTER:

12 Q. Mr. Dean, the -- during the  
13 period that you were undergoing training with  
14 British intelligence from January to June  
15 of 1999, you had no interactions with  
16 al-Qaeda.

17 Correct?

18 A. Again, it wasn't just a period  
19 of training; it was a pre-period of  
20 debriefing. And as I have stated in the  
21 book, the British intelligence very quickly  
22 came with a very credible, good cover story  
23 in order for me to immediately interact with  
24 al-Qaeda members in London.

25 Q. But you did not have any

This Transcript Contains Confidential Material

1 interaction with the core al-Qaeda located in  
2 Afghanistan during that six-month period?

3 A. I was having interaction with  
4 the core al-Qaeda leadership in London and  
5 Europe.

6 Q. But you didn't have any  
7 leadership {sic} with the core al-Qaeda  
8 leadership in Afghanistan.

9 Correct?

10 MR. SEQUEIRA: Objection to  
11 form.

12 You may answer.

13 THE WITNESS: Yeah, we didn't  
14 have e-mails or WhatsApp at that time  
15 to be -- to be -- to stay in touch.

16 QUESTIONS BY MR. CARTER:

17 Q. And then I'm trying to get some  
18 understanding here of the timeline.

19 You went back to Afghanistan in  
20 the June, July of 1999 period?

21 A. Yes.

22 Q. And as I understand it, during  
23 this time you initially spent a few days with  
24 Abu Zubaydah in Peshawar.

25 Correct?



This transcript contains confidential material

1 A. Yes.

2 Q. You took a trip to Kashmir.

3 Correct?

4 A. Yes.

5 Q. You went on from there to the

6 Abu Khabab Darunta camp for a few weeks?

7 A. Yes.

8 Q. And while there, you were

9 working with Abu Khabab on bomb making?

10 A. Updating my knowledge on bomb  
11 making, yes, for the purpose of making sure  
12 that whatever new methodologies and other  
13 updates that they have for their bomb making  
14 program, I would be able to pass on back to  
15 the UK intelligence services, yes.

16 Q. And during that time, you  
17 weren't sent on any financial-related  
18 missions by al-Qaeda leadership?

19 A. Can you repeat that again,  
20 please?

21 Q. During this period in  
22 Afghanistan beginning in either late June or  
23 early July 1999, before returning to London,  
24 you weren't sent on any financial-related  
25 missions by al-Qaeda leadership.

This transcript contains Confidential Material

1                   Were you?

2                   A.       Can you define "missions"?

3       Because it's not just only missions. I mean,  
4       it's -- the whole finance thing is a bit  
5       complicated. It's not like it's only  
6       missions.

7                   Q.       Well, during this time period,  
8       the events you recount in your book indicate,  
9       as I said, a visit with Abu Zubaydah, a trip  
10      to Kashmir, and a few weeks at Darunta with  
11      Abu Khabab working on bombs.

12                          Right?

13                   A.       The trip to Kashmir was  
14      actually related to al-Qaeda's finances.

15                   Q.       It was related to your honey  
16      business.

17                          Correct?

18                   A.       It's not my honey business. It  
19      is the business that I run on behalf of  
20      several of al-Qaeda top leadership.

21                   Q.       In your book, don't you recount  
22      that your money -- your honey business was  
23      used solely to fund your own activities and  
24      flat in London, and that you didn't give any  
25      of the money to al-Qaeda?



This transcript contains Confidential Material

1           A.       Once again, for purposes of  
2       clarity, the honey business was done on  
3       behalf of members of al-Qaeda's leadership,  
4       and that was the cover story that enabled me  
5       to travel freely, at least have some degree  
6       of travel trust, so I would be able to get in  
7       and out of Afghanistan and meet my superior  
8       officers and pass on intelligence.

9                   As you know, al-Qaeda was a  
10      clandestine organization, paranoid about  
11      people who would travel and go and come and  
12      have frequent interaction with the outside  
13      world.

14                   The cover story have to be  
15      perfect. And to make al-Qaeda leaders turn  
16      blind eye to my activities in terms of the  
17      travels, it has to be of personal benefit to  
18      them. And so this is how it was done.  
19      That's what the cover story was.

20           Q.       On page 183 of your book --

21           A.       Yeah.

22           Q.       -- you're discussing the  
23      business model of your honey business.

24                   Correct?

25           A.       Yes.

This Transcript Contains Confidential Material

1           Q.     And you indicate that you would  
2     be selling your produce at a rough markup of  
3     1,000 percent.

4                     Correct?

5           A.     Yes.

6           Q.     And you reference that same  
7     markup in your expert report, don't you?

8           A.     Yes.

9           Q.     And you cite it in your expert  
10    report as an example of the kind of business  
11    ventures being run by al-Qaeda that were  
12    generating revenues for the organization,  
13    don't you?

14          A.     Yes.

15          Q.     Now, in your book, in the note  
16    at the bottom of this page, you say, "Honey  
17    had long been a source of funds for jihadi  
18    groups, including al-Qaeda and Kashmiri  
19    militants. Al-Qaeda welcomed self-funding  
20    recruits, as it reduced their payroll costs.  
21    I did not funnel any proceeds to the group.  
22    Instead, I used my earnings to pay for my own  
23    travel and for the rent on my UK apartment."

24                     Correct?

25          A.     Yeah. Keep going.



This Transcript Contains Confidential Material

1 Q. "Abdul Rasheed's  
2 brother-in-law, the Jordanian-American Khalil  
3 al-Deek, also became involved in the business  
4 that Abdul Rasheed and I founded."

5 A. Yeah.

6 Q. So in your book, you said you  
7 did not channel any of the proceeds from the  
8 honey-making business to the al-Qaeda group,  
9 don't you?

10 A. Okay. The language there is  
11 very carefully designed in order to make sure  
12 that I do not say that I funded al-Qaeda  
13 group in any way, shape or form.

14 And it was primarily with  
15 individuals. These individuals are -- you  
16 know, two of them are mentioned here - Abdul  
17 Rasheed and his brother-in-law, Khalil  
18 al-Deek, who is also a well-documented member  
19 and senior member of al-Qaeda leadership  
20 killed in 2009 by a US drone in Peshawar --  
21 sorry, Waziristan.

22 Q. The statement in your book says  
23 that you did not provide any proceeds from  
24 your honey business to al-Qaeda, doesn't it?

25 MR. SEQUEIRA: Objection.

This Transcript Contains Confidential Material

1                   Your characterization of "your  
2                   honey business." He's already stated  
3                   that it's not his honey business.

4       QUESTIONS BY MR. CARTER:

5           Q.       You did not funnel any proceeds  
6                   from the honey business to al-Qaeda?

7           A.       As al-Qaeda organization, no.

8           Q.       And you used your earnings to  
9                   pay your travel expenses and the rent on the  
10                  UK apartment.

11                   Right?

12          A.       Yes.

13          Q.       Now, back to the 1999 period in  
14                   Afghanistan. After a few weeks working with  
15                   Abu Khabab on bomb making at his Darunta  
16                   camp, you indicate on page 190 of the book  
17                   that you were sent off to the front lines  
18                   near Kabul.

19                   Do you recall that?

20          A.       Yes.

21          Q.       And you were being sent to  
22                   fight alongside the Taliban against the  
23                   Northern Alliance.

24                   Is that correct?

25          A.       This is page 190. Okay. Yes.



This Transcript Contains Confidential Material

1 Q. And bin Laden thought it was  
2 important to provide fighters to assist the  
3 Taliban in relation to that conflict?

4 MR. SEQUEIRA: Objection to  
5 form. Vague.

6 You may answer.

7 THE WITNESS: Yes, he did.

8 QUESTIONS BY MR. CARTER:

9 Q. You say in your book,  
10 "bin Laden regarded providing military  
11 support to the Taliban as an important part  
12 of al-Qaeda's mission and required members to  
13 help in the defense of Kabul."

14 Correct?

15 A. Yes.

16 Q. And you say that you were not  
17 happy about this assignment.

18 Correct?

19 A. Yes.

20 Q. And you were not happy because  
21 you feared you were being sent to be cannon  
22 fodder on the gridlock front north of Kabul.

23 Right?

24 A. Yes.

25 Q. So in terms of your status

1     within al-Qaeda as of this date, your own  
2     recounting indicates that they viewed you as  
3     an appropriate candidate for being cannon  
4     fodder on the front lines in Kabul.

5                     Right?

6                     MR. SEQUEIRA: Objection.

7                     THE WITNESS: Goodness, this is  
8     disingenuous.

9                     Mr. Carter, I explained in  
10     pretty much de -- you know, in many  
11     details that everyone in al-Qaeda must  
12     do front-line duty, regardless. And  
13     the reason for that is because all of  
14     them need to demonstrate their loyalty  
15     to the cause.

16                    This is how they weed out  
17     potential traitors, potential spies  
18     within the organization. Those who  
19     feel immense fear while in the front  
20     line while battle are taking place,  
21     the reason for that is because if they  
22     feel -- if they really do not  
23     demonstrate willingness to fight, then  
24     why are you here. You're supposed to  
25     be seeking martyrdom. You are



This Transcript Contains Confidential Material

1           supposed to be brave. You are a  
2           jihadist, after all.

3                       So the idea that it was just  
4           the cannon fodder going there, that's  
5           not true.

6                       The use of cannon fodder in  
7           that particular -- I'm talking about  
8           the overall strategy of just throwing  
9           lives unnecessary in that conflict  
10          with the Northern Alliance, not that I  
11          was considered a cannon fodder.

12                      Everyone did that duty,  
13          including Osama bin Laden himself.

14       QUESTIONS BY MR. CARTER:

15               Q.       In your book, you indicate that  
16          you are back in London at least as of  
17          September 1999 on what you describe as home  
18          leave after a close call -- after your close  
19          call on the front line.

20                      Do you recall when you departed  
21          Afghanistan following the fighting on the  
22          front line near Kabul to return to London?

23               A.       Roughly around September.  
24          Beginning of September.

25               Q.       And I believe you indicate in

This Transcript Contains Confidential Material

1 the book that you were in London at the time  
2 of the bombing attack carried out in Russia  
3 on September 9, 1999?

4 A. Yes.

5 Q. And during this period, how  
6 long did you stay in London?

7 A. By October 15th, I returned  
8 back to Afghanistan, so it was six weeks.

9 Q. And I believe in your book you  
10 describe this period in October returning to  
11 Afghanistan, again, involving a stop in  
12 Pakistan.

13 Correct?

14 A. Naturally, yes.

15 Q. You went from there to an  
16 al-Qaeda camp in Logar to drop off equipment.

17 Correct?

18 A. Yes.

19 Q. You went on from there to the  
20 Jalalabad area to go back to the Darunta  
21 camp?

22 A. Yes.

23 Q. You left Darunta after a period  
24 at the camp to go to Pakistan for a  
25 debriefing with your MI6 handlers.



This Transcript Contains Confidential Material

1 Correct?

2 A. Yes.

3 Q. And then you went back to  
4 Darunta.

5 Correct?

6 A. Yes.

7 Q. And while you were in Darunta,  
8 you indicate on page 217 of your book that  
9 you wanted to visit Kabul to see Abu Musab  
10 al-Suri.

11 Correct?

12 A. Yes.

13 Q. And the reason you were  
14 interested in seeing al-Suri at that time was  
15 to see if he had grown any closer to  
16 al-Qaeda's leaders.

17 Correct?

18 A. Yes.

19 Q. And that's because the leaders  
20 at that time were starting to conglomerate  
21 around Kabul?

22 A. Can you repeat the question  
23 again? I didn't understand it.

24 Q. You were hoping that Abu Masub  
25 al-Suri had grown closer to the al-Qaeda

1 leadership by virtue of the fact that more of  
2 them were moving towards the Kabul area at  
3 that time?

4 MR. SEQUEIRA: Objection to  
5 form.

6 You may answer.

7 THE WITNESS: At that time,  
8 many of al-Qaeda's leaders were  
9 congregating in Kabul. That was the  
10 end of 1999, yes.

11 QUESTIONS BY MR. CARTER:

12 Q. And your interest in seeing Abu  
13 Musab al-Suri was specifically focused on the  
14 hope that he had grown closer to the al-Qaeda  
15 leadership.

16 Correct?

17 A. This wasn't exactly the focus  
18 that I had at that time. The focus was to  
19 actually spy on them.

20 Q. You say on page 217 to 218, "I  
21 wanted to visit Kabul to see Abu Musab  
22 al-Suri again, not out of any devotion to his  
23 intellect but to see whether he had grown any  
24 closer to al-Qaeda's leaders, some of whom  
25 were gravitating to the Afghan capital."



This Transcript Contains Confidential Material

1                   That's a fair assessment of  
2     your motivation?

3           A.       Which is espionage, yes.

4           Q.       And particularly you thought  
5     al-Suri might have particular value for  
6     espionage purposes because he may have grown  
7     closer to al-Qaeda's leaders.

8                   Correct?

9           A.       Yes.

10          Q.       And you were seeking better  
11     access at that time to information relating  
12     to al-Qaeda's leaders?

13                   MR. SEQUEIRA: Object to the  
14     form.

15                   You may answer.

16                   THE WITNESS: That is rather  
17     convoluted. It's not the motive. The  
18     motive was to look into his activities  
19     and the fact that he hasn't -- you  
20     know, he lives in -- he lived in  
21     London in the past. That's the first  
22     thing.

23                   The second thing is that he had  
24     a network extending to Spain and to  
25     France and to the Middle East. So

This Transcript Contains Confidential Material

1           there was an interest from the  
2           intelligence community in him.

3       QUESTIONS BY MR. CARTER:

4           Q.       In this time period when you  
5       visited the Kabul area, you indicate that you  
6       attended an event with Abu Hafs al-Masri and  
7       Abu Musab al-Suri.

8                    Correct?

9           A.       Yes.

10          Q.       And you were disappointed that  
11       bin Laden was not there.

12                   Right?

13          A.       Yes.

14          Q.       You date that meeting in your  
15       book to November of 1999.

16                   Correct?

17          A.       Yes.

18          Q.       And the description of that  
19       event in your book doesn't indicate that you  
20       had any substantive conversations with Abu  
21       Hafs al-Masri at the event.

22                   Is that fair?

23          A.       Can you repeat this again,  
24       please?

25          Q.       The recounting of the -- well,



1 let me ask you this.

2 Does the recounting of that  
3 event that you attended in your book capture  
4 the -- what you viewed as the principal,  
5 significant events that occurred during  
6 the meeting?

7 MR. SEQUEIRA: Objection.

8 Vague.

9 THE WITNESS: I'm sorry,  
10 Mr. Carter, the question is extremely  
11 vague.

12 QUESTIONS BY MR. CARTER:

13 Q. Did you have any conversations  
14 during that interaction that night with Abu  
15 Hafs al-Masri about al-Qaeda's budget?

16 A. Mr. Carter, I had conversations  
17 that lasted hours that evening with many of  
18 al-Qaeda leaders who were there, and that  
19 included many aspects. And I didn't recall  
20 the whole conversation in the book because  
21 that's exactly the purpose of the book. The  
22 purpose of the book is to capture the gist  
23 of, you know, the time I spent there.

24 This book wasn't, you know,  
25 meant to be, you know, an accurate telling of

This Transcript Contains Confidential Material

1 everything that happened, you know,  
2 bit by bit and word by word and -- you know,  
3 and meeting by meeting.

4 But that evening lasted hours,  
5 and I spent it with 40 members of al-Qaeda's  
6 leadership who were involved in the running  
7 of the organization and the training and the  
8 finance. And even the mufti of al-Qaeda was  
9 there at that time as the religious  
10 commander.

11 So there were many. And of  
12 course it is a relaxed occasion. It is the  
13 birth of someone's daughter there, and we are  
14 celebrating that birth.

15 Q. So it was not an official  
16 organizational meeting; it was a celebration  
17 of the birth of someone's daughter?

18 A. Yes. In my years, you know,  
19 eight years as undercover spy on behalf of  
20 the UK intelligence services, I found that  
21 the most rich environment for espionage are  
22 when people are at their ease during times of  
23 celebrations, occasions, parties. You know,  
24 they feel at ease at that time.

25 And this is basically when you



This Transcript Contains Confidential Material

1 have the conversations that matter. They are  
2 not guarded. They are not, you know, feeling  
3 the stress, you know, of the occasion.

4 And so this is why, you know,  
5 that particular evening was very memorable in  
6 my mind. I came out of it with a wealth and  
7 a trove of intelligence at that time.

8 Q. At some point after leaving  
9 Kabul, you were leaving Afghanistan, and you  
10 were detained by the Pakistani intelligence  
11 services?

12 A. Yes.

13 Q. And you became severely ill  
14 during your detention?

15 A. Could you please repeat the  
16 question?

17 Q. You became ill during your  
18 detention at the hands of the Pakistani ISI?

19 A. I'm sorry. Because the quality  
20 of the sound is not that great, can you  
21 please repeat the question? Sorry about  
22 that.

23 Q. The conditions in which you  
24 were held by the Pakistani ISI were harsh.

25 Correct?

This Transcript Contains Confidential Material

1 A. They were far from ideal, yes.

2 Q. And you became ill as a result,  
3 correct?

4 A. Yes. Sleeping in open cells,  
5 open-air cells, that can -- I mean, had a  
6 temperature of minus 2 is not exactly good  
7 for your health, yeah.

8 Q. And so you were turned over to  
9 the Brits and then recuperated for some  
10 period of time in Islamabad?

11 A. Yes.

12 Q. And then you went on from there  
13 to London.

14 Right?

15 A. Yes.

16 Q. And I believe in your book, you  
17 recount being back in London during the  
18 period between Christmas and New Years of  
19 1999.

20 Correct?

21 A. Yes.

22 Q. So this period in Afghanistan  
23 and your detention with the ISI all occurred  
24 between the middle of October of 1999 and  
25 sometime before Christmas?



This Transcript Contains Confidential Material

1 A. Yes.

2 Q. So this reflects about a  
3 two-month window of physical presence within  
4 al-Qaeda's operations in Afghanistan?

5 A. 77 days, yes. I still remember  
6 that.

7 Q. You indicate then that you were  
8 still in London in the spring of 2000.

9 Correct?

10 A. Winter of 2000, yes.

11 Q. But you refer, I believe, on  
12 229 of your book about there being daffodils  
13 at the time?

14 A. Yeah. Yeah. So I spent the  
15 winter of -- and to escape the long Afghan  
16 winter.

17 Q. And then on 229 you say you  
18 went back to Jalalabad then in early summer,  
19 and you date that return as less than three  
20 months before the Sydney Olympics.

21 Is that correct?

22 A. Yes.

23 Q. That would mark your return to  
24 Afghanistan at that point --

25 A. Roughly around April.

This Transcript Contains Confidential Material

1 Q. Well, the Olympics started on  
2 September 15th of 2000.

3 So if you're less than three  
4 months before the Olympics, your return would  
5 have been in -- sometime after June 15, 2000.

6 Right?

7 A. Yes, I remember it was around  
8 either May or June.

9 Q. But your book, again, on 229 --

10 A. Yeah.

11 Q. -- says, "I arrived in  
12 Jalalabad rejuvenated in early summer, less  
13 than three months before the Olympics were  
14 due to begin."

15 A. Yes.

16 Q. Correct?

17 A. Yes.

18 Q. How long were you in  
19 Afghanistan during this period?

20 A. Roughly about 70 days.

21 Q. And then you left Afghanistan  
22 to go to Australia?

23 A. Yes.

24 Q. And how long were you in  
25 Australia?



This Transcript Contains Confidential Material

1 A. Seven weeks.

2 Q. And so when did you leave  
3 Australia?

4 A. October.

5 Q. I was -- where did you go from  
6 Australia in October of 2000?

7 A. Back to the UK.

8 Q. And how long did you stay in  
9 the UK?

10 A. At that time, roughly until the  
11 beginning of the year. Around January,  
12 February.

13 Q. Of 2001?

14 A. Yes.

15 Q. And at that point did you  
16 return to Afghanistan?

17 A. At that time, no.

18 Q. Where did you go?

19 A. I remained in the UK. I went  
20 to other countries like Germany, France,  
21 Belgium because there were other missions I  
22 was supposed to take part in.

23 And then after that, in the  
24 spring I went back to Afghanistan.

25 Q. At what point in time?

This Transcript Contains Confidential Material

1           A.       It was roughly either February  
2       or March.

3           Q.       And do I understand correctly  
4       that as of June 2001, you were at al-Qaeda's  
5       Tarnak Farms camp?

6           A.       Yes.

7           Q.       And you recount in your book  
8       that around that time you were leaving again  
9       for London in a few days when you were  
10      summoned by Abu Hafs al-Masri.

11                   Correct?

12          A.       Yes.

13          Q.       And you indicate in your book  
14      that the summons from Abu Hafs made you feel  
15      distinctly uneasy.

16                   Correct?

17          A.       Yes.

18          Q.       That's because it was uncommon  
19      for Abu Hafs al-Masri to summon you.

20                   Right?

21                   MR. SEQUEIRA: Objection.

22                   You may answer.

23                   THE WITNESS: The reason is  
24      because by then, by June of 2001,  
25      since 1999 until 2001, five people



1           within al-Qaeda who were spying on  
2           behalf of -- two of them on behalf of  
3           the Jordanian intelligence and three  
4           of them on behalf of Egyptian  
5           intelligence, were actually  
6           apprehended and subsequently executed.

7                     And of course in all cases, it  
8           was Abu Hafs al-Masri who conducted  
9           the interrogation and pronounced the  
10          judgement of execution, along with the  
11          mufti of al-Qaeda.

12                    So, you know, when you are a  
13          spy, you know, in that organization --  
14          because, you know, you have to take  
15          into context here, Mr. Carter, once  
16          you enter Afghanistan at the point  
17          where -- there is no hope, you know,  
18          of rescue if anything goes wrong.

19                    I still remember that, you  
20          know, the UK intelligence services  
21          used to tell me that once you enter  
22          Afghanistan, you are beyond the scope  
23          of our help. If anything goes wrong  
24          because of the lack of communication,  
25          because the lack of friendly ground

This Transcript Contains Confidential Material

1 forces, you are on your own.

2 So every day could have been my  
3 last.

4 I know you are counting my days  
5 there, Mr. Carter, to say, like, how  
6 long I spent, but trust me, each and  
7 every day felt like an eternity. And  
8 therefore, each and every 77 days,  
9 70 days, 60 days, 40 days, 5 days, 50  
10 days, 15 days, each one of them could  
11 have been my last. Understand.

12 So when I was summoned by Abu  
13 Hafs, you know, the unease is due to  
14 the fact that it could be one of those  
15 moments where I enter his office and  
16 he tells me, confess. We know who you  
17 are.

18 So it's just normal to feel  
19 unease if I am summoned by him.

20 QUESTIONS BY MR. CARTER:

21 Q. Abu Hafs was a senior leader of  
22 al-Qaeda at the time.

23 Correct?

24 A. He was the deputy commander for  
25 al-Qaeda, yes.



This Transcript Contains Confidential Material

1 Q. And when he summoned you at  
2 this point in time in June of 2000, you  
3 indicate that he asked you, "When exactly are  
4 you traveling to England?"

5 Correct?

6 A. Yes.

7 Q. And you say that you replied  
8 "In four days," and that "he did not invite  
9 me to sit down but stared at me for a few  
10 seconds in a way that turned my stomach."

11 Correct?

12 A. Yes.

13 Q. He then told you that he wanted  
14 you to take a message to some of the brothers  
15 in London, and that "he spelled out four  
16 names slowly and clearly, as if I was an  
17 imbecile."

18 Correct?

19 A. Yes.

20 Q. And he told you that "They must  
21 leave the country and come here before the  
22 end of August. Something big is going to  
23 happen, and we expect the Americans to come  
24 to Afghanistan."

25 Right?

This Transcript Contains Confidential Material

1 A. Yes.

2 Q. And he told you not to come  
3 back, but to stay in England.

4 Right?

5 A. Yes.

6 Q. And then you recount in your  
7 book that "It was clear the meeting was over.  
8 It lasted two minutes."

9 Right?

10 A. Yes.

11 Q. And it sent your brain into  
12 overdrive because you didn't know what the  
13 "something big" he was referring to could be.

14 Right?

15 A. Yes.

16 Q. And you indicate in your book  
17 that you weren't stupid enough to ask because  
18 al-Masri was obsessive about operational  
19 security, and he had literally drafted a  
20 need-to-know policy and posted it prominently  
21 in the camps.

22 Right?

23 A. Yes.

24 Q. So you were cognizant at this  
25 time of al-Qaeda leadership's focus on



This Transcript Contains Confidential Material

1 operational security.

2 Correct?

3 A. Yes.

4 Q. And you were also aware that  
5 probing into matters that didn't directly  
6 involve your own work could arouse  
7 suspicions.

8 Correct?

9 A. Yes.

10 Q. And you were in London on  
11 September 11, 2001?

12 A. Yes, I was.

13 Q. And you learned about the  
14 attacks that day via media reporting?

15 A. Yeah.

16 Q. You had no foreknowledge  
17 whatsoever of the attacks?

18 A. No.

19 Q. Mr. Dean, I trust you know who  
20 Abu Saeed al-Masri is?

21 A. Sorry?

22 Q. Abu Saeed al-Masri?

23 A. Abu Saeed, or --

24 Q. Abu Saeed. I'm sorry, yes.

25 Abu Saeed al-Masri, you know

This Transcript Contains Confidential Material

1     who he is?

2             A.     I'm not aware of who you're  
3     talking about.

4             Q.     Do you know who the al-Qaeda  
5     financial chief was during the period leading  
6     up to September 11, 2001?

7             A.     I'm aware of Abu Hareth  
8     al-Masri as the chief accountant.

9             Q.     And, again, can you -- can you  
10    repeat his name for me?

11            A.     Abu Hareth al-Masri.

12            Q.     And did you have any -- you  
13    don't report in your book any interactions  
14    with him at all.

15                    Correct?

16            A.     No, I don't.

17            Q.     And during the period prior to  
18    September 11, 2001, you don't indicate in  
19    your book any participation in any meeting of  
20    al-Qaeda's finance committee.

21                    Do you?

22            A.     No, I don't.

23            Q.     Do you agree that during this  
24    period al-Qaeda was a highly centralized  
25    organization?



This Transcript Contains Confidential Material

1 A. Yes, I was aware.

2 Q. And I think we've discussed  
3 already that you agree that it had formal  
4 committees established to oversee different  
5 areas of priority for al-Qaeda.

6 Correct?

7 A. Yes.

8 (Dean Exhibit 2 marked for  
9 identification.)

10 QUESTIONS BY MR. CARTER:

11 Q. And if we can, let's just mark  
12 the relevant section of the 9/11 Commission  
13 report that's at Tab 9.

14 And at page 56 in particular,  
15 there's a discussion of the establishment of  
16 al-Qaeda which describes that bin Laden was  
17 the emir and that the organization's  
18 structure included as its operating arms an  
19 intelligence component, a military committee,  
20 a financial committee, a political committee,  
21 and a committee in charge of media affairs  
22 and propaganda. It also had an advisory  
23 council, Shura, made up of bin Laden's inner  
24 circle.

25 Based on your experiences, is

This Transcript Contains Confidential Material

1       that description accurate?

2               A.       To my knowledge, yes, it is  
3       accurate.

4               Q.       And during the period prior to  
5       September 11, 2001, were you a member of any  
6       of the committees identified in the section  
7       of the 9/11 report?

8               A.       I was just working for one of  
9       the committees, the financial committee, not  
10      as a member but as, you know, one of the arms  
11      of the business section of that committee.

12              Q.       You're referring to the fact  
13      that you were running a honey business that  
14      was under the supervision of the financial  
15      committee?

16              A.       Yes.

17              Q.       And so your interactions with  
18      the financial committee would have  
19      principally involved your honey business.

20                      Correct?

21              A.       Yes. The export and import  
22      business in the honey and other, you know,  
23      commodities that al-Qaeda was exporting to  
24      the Gulf at that time.

25              Q.       You cite the 9/11 Commission



This Transcript Contains Confidential Material

1 report numerous times in your book.

2 Correct?

3 A. Yes.

4 Q. So you view it as a reliable  
5 and authoritative source?

6 A. More like a reliable,  
7 historical document.

8 Q. But you view it as reliable?

9 A. Reliable, historical document.  
10 Not an intelligence document.

11 Q. And just looking at the  
12 associated citation for this -- it's cited to  
13 footnote 25, which we've brought in the notes  
14 section -- it says, "A wealth of information  
15 on al-Qaeda's evolution and history has been  
16 obtained from materials seized in recent  
17 years, including files labeled Tareekh Usama,  
18 Tareekh al Musadat."

19 And then says, "For description  
20 of and substantial excerpts from these files,  
21 see Government's Evidentiary Proffer  
22 Supporting the Admissibility of  
23 Co-Conspirator Statements, United States  
24 versus Arnaout."

25 Do you see that?

This Transcript Contains Confidential Material

1           A.       Yes, I see that.

2           Q.       Are you familiar with the  
3       Government's Evidentiary Proffer Supporting  
4       the Admissibility of Co-Conspirator  
5       Statements in United States v. Arnaout?

6           A.       I'm not aware of that.

7           Q.       Are you aware that your  
8       partner, Paul Cruickshank, has cited to that  
9       document in some of his writings about  
10      al-Qaeda's origin and finances?

11          A.       Yes, I'm aware of that.

12          Q.       And you view Mr. Cruickshank as  
13      a reliable expert in this arena?

14          A.       I view Mr. Cruickshank as a  
15      business partner and a good friend.

16          Q.       Well, do you view him as being  
17      someone who is a reliable authority with  
18      regard to al-Qaeda and its sources of  
19      financing?

20          A.       Well, he is wise enough to know  
21      that whenever we disagree on something, that  
22      he actually is going to take my opinion  
23      instead of his.

24          Q.       I'm not sure I've gotten an  
25      answer to the question.



This transcript contains confidential material

1 Do you view him as an authority  
2 on these subjects or not?

3 A. As I said to you, like, you  
4 know, I mean, he view me of more of an  
5 authority on the subject than he does.

6 Q. I'm still not sure you've  
7 answered whether or not you view him --

8 A. As I said to you, like, you  
9 know, I mean, yeah. You know, it was  
10 basically like, you know, I mean, he views me  
11 as an authority, you know, on the subject,  
12 and therefore, whenever our opinions differ,  
13 he tend to take my opinion over his.

14 Q. And going down, there's also a  
15 reference in this section -- I just want to  
16 draw your attention -- in footnote 36 to the  
17 trial testimony of Jamal al-Fadl?

18 A. Yeah.

19 Q. Do you know who Jamal al-Fadl  
20 is?

21 A. I'm aware of him, yes.

22 Q. Okay. What is -- who is he, in  
23 your understanding?

24 A. I mean, someone who was  
25 associated with al-Qaeda. But apart from

This transcript contains Confidential Material

1       that, I never met him.

2               Q.       Well, have you ever reviewed  
3       any of the transcripts or summaries of his  
4       interviews with the FBI?

5               A.       No, I haven't.

6               Q.       Have you ever reviewed any of  
7       the transcripts of his court testimony  
8       concerning al-Qaeda and its finances?

9               A.       No, I haven't.

10              Q.       The operational security and  
11       need-to-know policy that you referenced in  
12       relation to Abu Hafs al-Masri in your book,  
13       was that a policy unique to him or was it a  
14       model that the al-Qaeda leadership  
15       implemented generally?

16              A.       That was a model that was  
17       implemented generally post-August 1998.

18              Q.       So the official at al-Qaeda --  
19       policy of al-Qaeda during this time was that  
20       information about al-Qaeda's activities  
21       should be shared only on a need-to-know  
22       basis?

23              A.       Yes, that is the official  
24       policy, although it's not always followed or  
25       implemented. The human nature always compel



This Transcript Contains Confidential Material

1 people to talk and to let off some steam.

2 And these occasions, these are the times when  
3 one can penetrate the walls of secrecy.

4 Sometimes.

5 Q. What about al-Qaeda's financial  
6 chief?

7 And I think there's some  
8 possible discrepancy in the language we're  
9 using of the name. Give me one second.

10 A. No worries.

11 Q. It's probably just a function  
12 of my bad pronunciation.

13 The head of al-Qaeda's finance  
14 committee, as I understand it from government  
15 sources, for a significant number of years  
16 leading up to and through September 11, 2001,  
17 was Mustafa Ahmed Muhammad Uthman Abu  
18 al-Yazid, who was also named as Saeed  
19 al-Masri.

20 Correct?

21 A. Yes. If you are talking about  
22 Mustafa Abu al-Yazid, yes, that's a person.

23 But he was mistaken, actually,  
24 like, you know, as the head of the financial  
25 committee. He was more or less like the head

This Transcript Contains Confidential Material

1 of the external operation -- sorry, the head  
2 of operations as a whole.

3 So Mustafa Abu al-Yazid, who  
4 would later become, actually, the deputy  
5 leader of al-Qaeda in later years, he was the  
6 equivalent of the COO. He is the chief  
7 operating officer. He is the chief of  
8 operations.

9 Q. And, in fact, there were  
10 stories about him being incredibly  
11 tight-fisted in relation to authorizing  
12 requested payments to al-Qaeda members.

13 Are you aware of that?

14 A. I am aware of several of  
15 al-Qaeda leaders being frugal, including not  
16 only Mustafa Abu al-Yazid but also bin Laden  
17 himself.

18 Q. And there's no reference in  
19 your book to Mustafa Abu al-Yazid at all.

20 Is there?

21 A. No, but he was the subject of  
22 countless intelligence reports by myself at  
23 that time due to the fact that he was  
24 handling a lot of the money that was coming  
25 out of Iran into al-Qaeda during the 2002,



This Transcript Contains Confidential Material

1 2006 period.

2 Q. But with regard to the period  
3 2001, prior to September 11, 2001, you agree  
4 that there's no reference in your book at all  
5 to any significant interactions with him?

6 A. Mr. Carter, my book wasn't  
7 intended to be an intelligence report. It  
8 was intended to be a story, you know, a  
9 telling of a story of how, you know, I spent  
10 my time within al-Qaeda. It is 480 pages.  
11 We couldn't make it 1,480.

12 Q. Well, you went to considerable  
13 lengths to document interactions with other  
14 senior al-Qaeda members.

15 Didn't you?

16 A. Indeed. I think the general  
17 public generally like action; they don't like  
18 accounting.

19 Q. Well, he wasn't just an  
20 accountant, as you say. He was one of  
21 al-Qaeda's most-senior officials and  
22 functionally the COO of the entire  
23 organization.

24 Right?

25 A. Mr. Carter, one of the

This Transcript Contains Confidential Material

1 decisions we took, you know, while we were  
2 writing the book is that we don't want to  
3 burden the general public with names they can  
4 barely pronounce.

5 Q. Well, there's quite a number of  
6 names in your book, in fact.

7 Aren't there?

8 A. Yes. That's the whole idea.  
9 The whole idea is that we don't want to put  
10 so many names that the reader lose the plot  
11 and end up, you know, going down the rabbit  
12 hole.

13 Q. In your expert report, you  
14 indicate on page 8, referring to four  
15 charitable organizations, IIRO, Al-Haramain  
16 Islamic Foundation, Muslim World League, and  
17 World Assembly of Muslim Youth, that "Any  
18 funneling of support to armed jihadists was  
19 not approved and most likely not even known  
20 by the charity headquarters in Saudi Arabia,  
21 but was an abuse of the headquarters'  
22 difficulty in maintaining oversight."

23 Do you see that section of your  
24 report?

25 A. Yes.



This Transcript Contains Confidential Material

1 Q. Did you ever work at the  
2 headquarters in Saudi Arabia of any of those  
3 four organizations?

4 A. No. I worked with the  
5 headquarters rather than inside the  
6 headquarters. I mean, in other words, I was  
7 at the other end in the branch, interacting  
8 with the headquarters. That's how I know the  
9 mechanism.

10 Q. Oh. In that case, you're  
11 referring solely to your experience working  
12 in a five-month period for Al-Haramain.

13 Correct?

14 A. Yes, five months' crucial  
15 period, which was the end of the Chechen war  
16 between January and, you know, May of 1996.

17 Q. The statement in your report  
18 here is not limited to the knowledge of the  
19 headquarters of Al-Haramain, is it?

20 A. No, because while I was working  
21 with Al-Haramain, I was at that time also  
22 being aware that -- about the practice and  
23 how this practice is somewhat widespread and  
24 that it is not confined to just one charity  
25 here and there; that this is something that's

This Transcript Contains Confidential Material

1       been going on for a while.

2               Q.       You never worked at any branch  
3       of the IIRO.

4                       Did you?

5               A.       No, I did not work in any  
6       branch of the IIRO. However, I have many  
7       friends and, indeed, like, you know, the many  
8       people who deem veterans of the organization  
9       for many, many, many years.

10              Q.       So you're basing your testimony  
11       here on information that you have obtained  
12       from unidentified friends?

13              A.       The information you obtain  
14       about any organization throughout, you know,  
15       your professional life does not necessarily  
16       have to be just because you worked inside  
17       that organization. Otherwise, you know,  
18       the -- you know, we end up placing incredibly  
19       difficult burden, you know, on anyone who is  
20       gathering intelligence.

21              Q.       Well, Mr. Dean, we're here to  
22       assess the reliability of your opinions and  
23       the credibility of your opinions. And the  
24       statement that we're talking about right  
25       now --



This Transcript Contains Confidential Material

1 A. Uh-huh.

2 Q. -- does not include citation to  
3 any source at all.

4 Is that correct?

5 A. Mr. Carter, when I formed my  
6 opinion for this report, I was relying on a  
7 26 years' accumulated knowledge depository.  
8 And based on that and the research I've done,  
9 the eight years' work that I've done for the  
10 UK intelligence services, the nine years'  
11 work I've done for a global bank such as  
12 HSBC, and eight years' work as a consultant  
13 for several governments, banking  
14 institutions, financial institutions, all of  
15 that led me to the fact that with all of the  
16 research I've done, I came up with this  
17 statement.

18 Q. And you don't -- you don't cite  
19 to any of that research in your report.

20 Do you?

21 A. How can you cite knowledge?  
22 Accumulated knowledge? How do you cite it?

23 As someone who would go into a  
24 heart surgery, you know, you are not going to  
25 cite every poss -- every medical book while

This Transcript Contains Confidential Material

1     you are doing the surgery. The same thing  
2     here.

3                     You know, being knowledgeable  
4     about the subject -- and I am knowledgeable  
5     on the subject way beyond, you know, many  
6     other people in the industry. You know, they  
7     would come to consult me, you know, on this.  
8     Even academics and people with Ph.D.s and  
9     even from universities would come and ask me  
10    to opine on their syllabi. Sometimes I can  
11    even look into their teaching methods about  
12    counterterrorism finance and looking into it.

13                    So because subject like this  
14    is -- you know, there is a context to it.

15            Q.     Mr. Dean, you're testifying  
16    here to the knowledge that was possessed by  
17    the charity headquarters in Saudi Arabia  
18    during the period 1998 to 2001.

19                    Correct?

20            A.     The question is rather -- can  
21    you please repeat it?

22            Q.     Your testi -- you are offering  
23    an opinion here concerning the knowledge of  
24    the charity headquarters in Saudi Arabia of  
25    four separate organizations concerning



1 diversions of funds in the branch offices  
2 between 1998 and 2001.

3 Correct?

4 MR. SEQUEIRA: Objection.

5 Form.

6 You may answer.

7 THE WITNESS: I am offering  
8 here expert opinion, expertise as well  
9 as knowledge, based on experience in  
10 the period of 1996, in the first half  
11 of 1996, of how one charity that  
12 shared some similar characteristics  
13 with other charities and, therefore,  
14 the working mechanism between the  
15 branch and the headquarters.

16 And if you look at that -- and  
17 we established that this is how the  
18 mechanism was in one charity. And  
19 then when you look at the similarity,  
20 the similar factors, between them and  
21 the fact that they all had the same  
22 problem at some branches, not all,  
23 which is the infiltration by certain  
24 elements who were sympathetic to  
25 certain causes, this is how you come

1 to the conclusion, because of that  
2 similarity between the cases.

3 One person's path into  
4 radicalism could, you know, coincide  
5 with someone else's path into  
6 radicalism if they share certain  
7 common factors.

8 So you look at the common  
9 factors. You establish one case, and  
10 then you look at all other three  
11 common factors between the other three  
12 charities, and you establish a pattern  
13 here.

14 QUESTIONS BY MR. CARTER:

15 Q. Have you conducted any review  
16 of internal operational documents of the  
17 IIRO, WAMY or the Muslim World League?

18 A. I looked at the internal  
19 documents of multiple charities, dozens and  
20 dozens of charities, while I was working for  
21 HSBC. Most of them are Muslim, and they  
22 operate according to similar principles.

23 Q. So is the answer no?

24 A. Again, it's not a simple yes or  
25 no. You're asking me --



This Transcript Contains Confidential Material

1 Q. It is, Mr. Dean. I asked you  
2 if you looked at internal documents of three  
3 organizations. The answer is either that you  
4 have, in which case can you tell me which  
5 ones you looked at, or that you haven't, in  
6 which case the answer is no.

7 MR. SEQUEIRA: Objection,  
8 Mr. Carter. He's providing the  
9 context to his answer. He can do  
10 that.

11 MR. CARTER: He can provide  
12 context, but he has to answer the  
13 question.

14 THE WITNESS: Okay. You're  
15 asking me if I have seen internal  
16 documents, you know, related to IIRO,  
17 world Muslim -- the WAMY and the MWL.

18 Yes?

19 QUESTIONS BY MR. CARTER:

20 Q. Correct.

21 A. Yeah. The answer is no.

22 Q. And you have never worked for  
23 any of those organizations.

24 Correct?

25 A. With the exception of

This Transcript Contains Confidential Material

1 Al-Haramain, no.

2 Q. And who was the head of the  
3 IIRO during the period 1998 to 2001?

4 A. I think it was Karashi  
5 {phonetic}, but I'm not -- you know, apology,  
6 but I can't remember the name. I think the  
7 surname was Karashi, but I can't remember the  
8 name.

9 Q. And who was the head of the  
10 World Assembly of Muslim Youth?

11 A. I can't remember the name.

12 Q. And who was the head of the  
13 Muslim World League?

14 A. At that time it was Nasseef.  
15 Mr. Nasseef, I think.

16 Q. You think Nasseef was the head  
17 during the '98 to 2001 time period?

18 A. I think so. I'm not like, you  
19 know, I mean, sure.

20 Q. Have you had -- do you recall  
21 during this period whether you had any direct  
22 contact with the heads of the IIRO, WAMY, or  
23 Muslim World League?

24 A. Why would I have contacts with  
25 them?



This Transcript Contains Confidential Material

1 Well, I didn't have contacts  
2 with them.

3 Q. Do you have any understanding  
4 of what their procedures were during the  
5 period for auditing branch offices?

6 A. I don't think my report looked  
7 into the procedures. These are regulatory  
8 issues, which is beyond the scope of my  
9 report.

10 Q. And on page 9 of your report --  
11 well, let's -- in terms of Al-Haramain and  
12 what the leadership of that organization knew  
13 about diversions in the field offices, I  
14 understand your testimony to be predicated on  
15 your experience for five months at the Baku,  
16 Azerbaijan office.

17 Right?

18 A. On subsequent research,  
19 subsequent intelligence-gathering, yes. And  
20 more --

21 Q. And is the -- what is the  
22 subsequent research?

23 A. What do you mean, "the  
24 subsequent research," please?

25 Q. I'm sorry. You said your

This Transcript Contains Confidential Material

1 opinion about Al-Haramain is based on your  
2 subsequent research. I'm asking you what it  
3 was.

4 A. The subsequent intelligence  
5 gathering that happened afterwards because  
6 the fundraising by Chechen rebels did not  
7 just stop because I just left or the war was  
8 ended in 1996.

9 I continued to look into the  
10 question of how they raised their funds. I  
11 looked into the fundraisers who were  
12 scattered around Europe and the Middle East,  
13 and I continued to write about that and to  
14 submit regular reports to the UK intelligence  
15 services.

16 Q. There are reports you submitted  
17 to the UK intelligence services specifically  
18 about Al-Haramain?

19 A. Including Al-Haramain.

20 Q. How many?

21 A. I'm not at liberty to say how  
22 many.

23 Q. When did you create these  
24 reports?

25 A. In the period between 1998 and



This Transcript Contains Confidential Material

1 2002.

2 Q. And these reports, you can tell  
3 me they exist, but you can't tell me how  
4 many?

5 A. Well, I can tell you that  
6 basically that I continued to provide  
7 intelligence on the Chechen rebels'  
8 fundraising efforts.

9 As to the contents, as to how  
10 many of them, it's not something I am at  
11 liberty to discuss the content, you know.

12 And in terms of how many, there  
13 were dozens, but I don't know like in how  
14 many there are. There are many of them --  
15 many of them to recall.

16 MR. SEQUEIRA: Are you ready  
17 for a break, Sean?

18 MR. CARTER: Sure.

19 VIDEOGRAPHER: We're going off  
20 the record. The time is 5:51 p.m.

21 (Off the record at 5:51 p.m.)

22 VIDEOGRAPHER: Back on the  
23 record at 6:04 p.m.

24 QUESTIONS BY MR. CARTER:

25 Q. Mr. Dean, before we took a

This Transcript Contains Confidential Material

1 break, we were talking about several of the  
2 charities.

3 Are you aware that Al Rajhi  
4 Bank has produced records relating to the  
5 bank accounts that the IIRO and Al-Haramain  
6 held at Al Rajhi Bank between 1998 and 2002?

7 A. I'm not aware of it.

8 Q. You have spent a considerable  
9 amount of time subsequent to your work with  
10 MI6, according to your curriculum vitae, in  
11 the terror financing arena.

12 Correct?

13 A. Yes.

14 Q. That included a period of time  
15 where you worked at HSBC.

16 Correct?

17 A. Yes.

18 Q. And so you have familiarity  
19 with the processes banks use to assess  
20 potential money laundering and terror  
21 financing activities?

22 MR. SEQUEIRA: Objection.

23 Vague.

24 You may answer.

25 THE WITNESS: Yeah. Can you



This Transcript Contains Confidential Material

1 specify exactly what processes you  
2 mean? You know, are they like an  
3 electronic processes? Are they  
4 auditing processes?

5 QUESTIONS BY MR. CARTER:

6 Q. I'm sorry.

7 You have a familiarity on the  
8 basis of the work you've done at HSBC and  
9 elsewhere in analyzing banking records.

10 Correct?

11 A. At investigating the incidents  
12 of terror financing and looking at the  
13 relevant documents, yes.

14 Q. And when you investigate  
15 allegations of terror financing, the relevant  
16 documents you would look at would include the  
17 internal banking records of the implicated  
18 organization.

19 Correct?

20 A. Yes.

21 Q. But you did not do that here  
22 for purposes of your report?

23 A. The purpose of my report was to  
24 look into allegations of terror financing as  
25 far as these -- you know, as far as it was

This Transcript Contains Confidential Material

1     like I can basically put -- any questions  
2     that are put to me.

3                     So, no, I did not review the  
4     bank records. It's not part of my -- the  
5     scope of my report.

6             Q.     Do you have an understanding of  
7     how money flowed from the headquarters of the  
8     IIRO to the branch offices?

9             A.     I would have seen similar flows  
10    between the headquarters of any organization  
11    and their branches, you know, so that I'm  
12    familiar with that flow, yes.

13            Q.     Based on your experience with  
14    Al-Haramain, is it your understanding that  
15    money was being sent from Al-Haramain's  
16    headquarters in Saudi Arabia to the branch  
17    where you were working in Baku, Azerbaijan?

18            A.     Yes, I'm aware of that.

19            Q.     Do you know whether any of that  
20    money was being sent from Al-Haramain  
21    accounts at Al Rajhi Bank?

22            A.     Sorry, can you repeat the  
23    question again?

24            Q.     Do you know whether any of the  
25    money that you're aware of that was



This Transcript Contains Confidential Material

1 transferred from Al-Haramain's headquarters  
2 in Saudi Arabia to the branch where you  
3 worked in Baku, Azerbaijan --

4 A. Yeah.

5 Q. -- was sent from Al Rajhi  
6 accounts?

7 A. I was aware that it was sent  
8 from Saudi Arabia. No, we did not look at  
9 the -- a correspondent account at that time,  
10 where it's coming from.

11 Q. On page 10 of your report, you  
12 say that it was "due to the inability to  
13 effectively monitor regional offices, and not  
14 a directive from the organization to support  
15 terrorists, that some charity branches later  
16 became designated for ties to terrorism."

17 Do you see that?

18 A. Yes.

19 Q. And I believe you include a  
20 similar statement in your book at the bottom  
21 of page 49, the specific reference to  
22 Al-Haramain, that "because of its failure to  
23 monitor what its regional offices were doing  
24 in various places around the world, the  
25 Haramain foundation was later designated for

This Transcript Contains Confidential Material

1 ties" -- "for terrorism ties by the US  
2 government."

3 Do you see that?

4 A. Yes.

5 Q. And when you're referring to  
6 the designation in that section, according to  
7 the notes, you're referring to "Treasury  
8 designates Al-Haramain Islamic Foundation,  
9 Department of the Treasury, 19 June 2008."

10 A. Uh-huh. Yeah.

11 Q. That's correct?

12 A. Yeah.

13 (Dean Exhibit 3 marked for  
14 identification.)

15 QUESTIONS BY MR. CARTER:

16 Q. If we can, let's mark that --  
17 well, let's open that as the next exhibit. I  
18 think we've already marked it. And it would  
19 be at Tab 24.

20 Mr. Dean, where in this  
21 document that you cite in your book does it  
22 say that the Al-Haramain headquarters in  
23 Saudi Arabia was being designated by virtue  
24 of a failure to exercise oversight as to the  
25 branch offices?



This Transcript Contains Confidential Material

1           A.       You mean this -- the press --  
2       this document?

3                    Okay. So I'm looking at it.

4                    Can you give me time to read  
5       it, please?

6           Q.       Sure.

7                    MR. SEQUEIRA: Just to note  
8       that I don't think this exhibit shows  
9       up in the exhibit folder. Is it  
10      available?

11                   Okay. We may have it now.

12                   Now it's -- we're getting an  
13      error. Now we got it. Thank you.

14                   MR. CARTER: Gina, do you know  
15      whether this has been marked  
16      previously? I'm not sure that it has.

17                   GINA VELDMAN: I don't think it  
18      has. It has no exhibit sticker on it,  
19      so I marked it as Dean 003.

20                   MR. CARTER: Okay.

21                   GINA VELDMAN: I mean Dean 3.  
22      Dean 3.

23      QUESTIONS BY MR. CARTER:

24           Q.       Mr. Dean, have you had a chance  
25      to read that?

This Transcript Contains Confidential Material

1 A. Yes.

2 Q. And can you tell me where in  
3 that document there's a statement that the  
4 designation of Al-Haramain's Saudi  
5 headquarters was prompted by its failure to  
6 monitor what its regional offices were doing  
7 in various places around the world, which is  
8 the description you give at page 49 of your  
9 book?

10 A. Well, as I refer to it here in  
11 the report, it's not my book that is like,  
12 you know, I mean, I submitted into this -- as  
13 an expert report. It is the expert report  
14 that I submitted.

15 So, please, can you refer back  
16 to the expert report? To my report. To  
17 page 10.

18 Q. Are you declining to ask my  
19 question about the similar -- answer my  
20 question about the similar statement in your  
21 book?

22 A. I'm talking about like, you  
23 know, I can answer for the relevant document  
24 here, which is the report that I submitted.

25 Q. Well, you don't cite anything



This Transcript Contains Confidential Material

1 in your report in support of that statement.

2 Do you?

3 A. That statement is my conclusion  
4 based on the fact that the designation  
5 happened because of the -- you know, because  
6 of the lack of the oversight by the  
7 headquarters in policing and also in  
8 providing oversight for the branches.

9 The issue here is that the  
10 headquarters where, as I have described  
11 before in my report, repeatedly deceived  
12 in -- on multiple occasions in order to  
13 provide support that was then siphoned to --  
14 for example, in the example of Azerbaijan,  
15 siphoned to the Chechen rebels.

16 Q. In your report on page 10, you  
17 are making a statement concerning the  
18 circumstance that prompted the designation of  
19 certain of the charity branches.

20 Correct?

21 A. That wasn't just only my  
22 opinion. That's the opinion of the  
23 designation that took place in 2002 and then  
24 the designation that took place in 2004.

25 Q. What designation are you

This Transcript Contains Confidential Material

1     talking about? Are you speaking in reference  
2     to Al-Haramain?

3             A.       To Al-Haramain branches.

4             Q.       Well, I've just shown you the  
5     Treasury Department's official statement  
6     concerning the designation of the  
7     headquarters of the organization.

8                     And can you tell me if you see  
9     any indication in that document that the  
10    designation of the headquarters was  
11    implemented due to the inability of the  
12    headquarters to effectively monitor regional  
13    offices?

14                    MR. SEQUEIRA: Objection to  
15                    form.

16                    You may answer.

17                    THE WITNESS: Yeah.

18                    Specifically the designation  
19                    does -- the paper, the document that  
20                    you're showing me, it does not contain  
21                    the reason for designation is the  
22                    failure of oversight.

23                    However, it is my opinion that  
24                    this was a failure of oversight.

25



This Transcript Contains Confidential Material

1 QUESTIONS BY MR. CARTER:

2 Q. Now, are you aware that the  
3 United States and UN, along with Saudi  
4 Arabia, designated other branches of  
5 Al-Haramain?

6 A. Yes, I am aware of that.

7 Q. And are you aware that there  
8 were designations at issue in June of 2004?

9 A. I am aware of that, yes.

10 (Lormel Exhibit 18 previously  
11 marked and referenced.)

12 QUESTIONS BY MR. CARTER:

13 Q. And these are at Tab 22, if we  
14 can mark these as the next exhibit.

15 It's Lormel 18. It's already  
16 been marked. Sorry.

17 Mr. Dean, have you reviewed  
18 this designation memo previously?

19 A. I'm still trying to get it.  
20 One moment.

21 This one, no, I did not.

22 Q. Were you aware at the time that  
23 you authored your report that the United  
24 States had designated the head of  
25 Al-Haramain, Aqeel Abdulaziz Al-Aqil?

This transcript contains confidential material

1 A. Yes, I was aware.

2 Q. And turning to page 3 of the  
3 designation, it says that "These activities,"  
4 referring to the terrorist activity  
5 summaries -- summarized earlier in the  
6 document, "within the branches took place  
7 under the control of Aqeel Abdulaziz Al-Aqil,  
8 the founder and long-time leader of AHF and a  
9 suspected al-Qaeda supporter. Al-Aqil has  
10 been identified as AHF's chairman, director  
11 general and president in a variety of sources  
12 and reports. As AHF's founder and leader,  
13 Al-Aqil controlled AHF and was responsible  
14 for all AHF activities, including its support  
15 for terrorism."

16 Do you see that?

17 A. Yes, I do.

18 Q. So in this case, the United  
19 States was designating the head of  
20 Al-Haramain in Saudi Arabia for his own  
21 involvement in Al-Haramain support for  
22 terrorism.

23 Correct?

24 A. Can you repeat the question  
25 again?



1 Q. Sure.

2 In this instance, the United  
3 States designated the head of Al-Haramain's  
4 organization, who was headquartered in Saudi  
5 Arabia, for his responsibility in  
6 implementing Al-Haramain's support for  
7 terrorism.

8 Correct?

9 A. When you answer "correct," I  
10 mean, basically, like, I mean, when you ask  
11 me to correct, no, because I need to comment  
12 on the designation itself, and therefore it  
13 is not just a simple yes or -- yes or no  
14 answer.

15 Q. Well, were you aware at the  
16 time of your report the United States  
17 government had taken the view that Aqeel  
18 Al-Aqil was directly involved in  
19 Al-Haramain's support for terrorism?

20 MR. SEQUEIRA: Objection.

21 Vague.

22 You may answer.

23 THE WITNESS: I will say that  
24 I'm aware, I was aware, of the  
25 designation against Aqeel Abdulaziz

This Transcript Contains Confidential Material

1 Al-Aqil, and I'm aware of the -- you  
2 know, the language of the designation.  
3 However, I, you know -- you know,  
4 disagree with it and disagree with the  
5 designation language.

6 (Exhibit ARB 28 previously  
7 marked and referenced.)

8 QUESTIONS BY MR. CARTER:

9 Q. And if we can mark -- or turn  
10 to, I guess, the next document. The document  
11 at Tab 16, which was previously marked as  
12 ARB 28.

13 Oh, no. Well, I'm sorry, yeah.  
14 Tab 16, ARB 28.

15 Mr. Dean, this is a Treasury  
16 Department statement concerning the  
17 designation of offices of the IIRO as well as  
18 an IIRO official named Abd Al Hamid Sulaiman  
19 Al-Mujil.

20 Do you see that?

21 A. Yes.

22 Q. Do you know who Abd Al Hamid  
23 Sulaiman Al-Mujil is?

24 A. I'm aware of him.

25 Q. How are you aware of him?



This Transcript Contains Confidential Material

1           A.       I'm aware that he is an  
2       official in the IIRO.

3           Q.       And how are you aware that he  
4       was an official in the IIRO?

5           A.       Based on the designation page.

6           Q.       That's not information that  
7       you're aware of from your time in al-Qaeda?

8           A.       No.

9           Q.       And turning to the content of  
10       this document, it indicates that "Abd Al  
11       Hamid Sulaiman Al-Mujil is the executive  
12       director of the IIRO Eastern Province branch  
13       office in The Kingdom of Saudi Arabia.  
14       Al-Mujil has been called the million dollar  
15       man for supporting Islamic militant groups.  
16       Al-Mujil provided donor funds directly to  
17       al-Qaeda and is identified as a major  
18       fundraiser for the Abu Sayyaf Group and  
19       Jemaah Islamiyah."

20                   Do you see that?

21           A.       Yes, I see that.

22           Q.       And you would agree that this  
23       designation concerns terrorist activities of  
24       an official of the IIRO located in Saudi  
25       Arabia.

1 Correct?

2 A. Once again, I come back to the  
3 question of the context of these designations  
4 because many of these designations, whether  
5 you're quoting this one or other ones, in  
6 later years were either revised based on new  
7 intelligence and new facts that emerged, as  
8 well -- you know.

9 And as the understanding of the  
10 phenomenon of terrorist financing started to  
11 evolve over time, many of those who are  
12 designated later were never charged, never  
13 convicted, basically practiced -- you know,  
14 they are out there kind of living their lives  
15 normally.

16 And, therefore, the  
17 designations are just historical references  
18 to what was taking place at the time based on  
19 intelligence that, at best, was not exactly  
20 reliable.

21 Q. Mr. Dean, I understand you to  
22 be claiming in your report that whatever  
23 terrorist activities may have occurred in  
24 regional offices of these charities was the  
25 result of infiltration of branch offices



1 outside of Saudi Arabia and not any directive  
2 or program implemented by officials in The  
3 Kingdom.

4 Is that a fair characterization  
5 of your opinions?

6 A. My opinion, as I have stated in  
7 the report, is that the branches were  
8 indeed -- some of the branches, indeed, were  
9 infiltrated by people who were sympathizers  
10 to jihadist causes, such as Bosnia and  
11 Chechnya, and sometime it could be the  
12 possibility that someone somewhere was  
13 sympathetic to, you know, terrorist groups.

14 But nonetheless, the  
15 experience, the expertise, the knowledge that  
16 was gained over years shows that the lengths  
17 to which these branches went to in order to  
18 deceive headquarters shows how necessary it  
19 was to go through that process in order to  
20 divert funds. Otherwise, the headquarters  
21 would not agree to such policies that were  
22 adopted by some branch offices.

23 Q. Well, I think we've already  
24 established that you never worked with the  
25 IIRO.

This Transcript Contains Confidential Material

1 Right?

2 A. Well, and neither did many  
3 people. And yet, like, you know, I mean, I  
4 have more experience in this than, you know,  
5 any other academic expert like, you know,  
6 basically that -- who might opine on  
7 this because of the --

8 Q. You never --

9 A. I worked in a similar  
10 environment. I worked in a similar  
11 environment. And, you know, and this is what  
12 counts. It's the --

13 Q. Well, Mr. Dean, I work at a --  
14 Mr. Dean, I work at a law firm.

15 A. Yeah.

16 Q. And I wouldn't possibly, on the  
17 basis of working at one law firm, be able to  
18 tell you what the leadership of another law  
19 firm knows or intends.

20 How can you purport to do this  
21 as to the charities on the basis of working  
22 at one branch office for five months?

23 A. Yeah. You wouldn't know what  
24 is in the minds of, you know, another law  
25 firm's leader, since you are using analogy,



1 but I'm sure you know how law firms all over  
2 the US operate. I mean, they have all  
3 operating procedures. They have all rules,  
4 regulations they follow. They have all  
5 mechanism of how to handle clients.

6 It's the same thing with  
7 charities that are coming from the same  
8 country and then charities that are operating  
9 in same branches around -- abiding by the  
10 same faith, abiding by the same principles,  
11 and actually receiving the same exact, you  
12 know, spending avenues that, you know, these  
13 donations are directed for.

14 So the fact of the matter is  
15 that there is similarity. We can't just, you  
16 know, throw it out of the window that there  
17 is no similarity.

18 Q. I take it that that's the  
19 summary of the basis for your opinions about  
20 the IIRO, WAMY and Muslim World League?

21 MR. SEQUEIRA: Objection.

22 Misstates the statements.

23 QUESTIONS BY MR. CARTER:

24 Q. Mr. Dean, do you know whether  
25 there was any -- ever any revocation of the

This Transcript Contains Confidential Material

1 designation of Mr. Al-Mujil?

2 A. I'm not aware of that.

3 Q. And you -- have you ever been  
4 involved in the designation process  
5 implemented by the United States pursuant to  
6 Executive Order 13224?

7 A. No.

8 Q. Have you ever been involved in  
9 the designation process implemented by the  
10 United Nations for al-Qaeda supporters?

11 A. No.

12 Q. Do you -- you don't have any  
13 direct knowledge of the evidence that the  
14 United States relied upon for purposes of the  
15 Al-Mujil designation reflected in this  
16 exhibit?

17 A. No.

18 Q. Incidentally, turning to the  
19 bottom of this, the United States indicates  
20 that it had evidence that "Al-Mujil was also  
21 present in Afghanistan in the late 1990s and  
22 personally knew Osama bin Laden and deceased  
23 al-Qaeda co-founder Abdullah Azzam. Al-Mujil  
24 traveled continuously to meet with members of  
25 bin Laden's organization in Arab countries.



This Transcript Contains Confidential Material

1 And in the 1990s, Al-Mujil established a  
2 relationship with senior al-Qaeda operational  
3 planner Khalid Sheikh Mohammed."

4 Do you see that?

5 A. Yes, I do see that.

6 Q. Do you have any evidence that  
7 would show any of those statements are not  
8 true?

9 A. I don't see any evidence that  
10 shows the statements are true.

11 Q. Well, do you -- do you have any  
12 evidence available to you that would  
13 establish that Mujil was not present in  
14 Afghanistan in the late 1990s?

15 A. Well, I never met him there.  
16 That's the first thing. But, you know, of  
17 course I didn't meet everyone, so he could  
18 have been there.

19 But the reality is, I don't see  
20 evidence of him being there. In other words,  
21 where is the photograph that him -- he was  
22 there. Where is the footage. Where is  
23 the -- you know, intelligence is not just  
24 about, well, we have determined that he was  
25 there. Where are the documented evidence.

1                   And then the -- for me, what  
2     constitutes an outcome of this evidence is a  
3     conviction after a trial.

4           Q.     Mr. Dean, having worked in  
5     intelligence, you're aware that intelligence  
6     services often can't disclose the specific  
7     nature of the evidence that allows them to  
8     reach a conclusion.

9                   Right?

10          A.     Yet, still, the intelligence  
11     services need to provide, you know, the --  
12     enough evidence for conviction. And if  
13     someone is as dangerous as I imagine -- I  
14     mean, appear by this designation, then the  
15     need for arrest and trial is rather  
16     necessary.

17                   Therefore, the fact that  
18     al-Mujil -- and this isn't just Al-Mujil  
19     alone. I mean, we're talking about a long  
20     list of names that are -- which were named in  
21     the immediate aftermath of 9/11 -- that most  
22     of them were, in the end, either exonerated  
23     or the designations were removed.

24                   And, therefore, we have to  
25     understand that the period between the late



This Transcript Contains Confidential Material

1 1990s and early -- and up to 2004, 2005, were  
2 a period of unreliable intelligence, with a  
3 lower threshold of what constitute evidence.

4 Q. Is it your testimony that you  
5 view the statement in the document before you  
6 that Mujil was present in Afghanistan in the  
7 late 1990s to be unreliable?

8 A. I can't state whether it is  
9 unreliable or not. All I'm saying is that if  
10 there was evidence against him, then it needs  
11 to be -- to have been brought to -- you know,  
12 to a court, and there should have been a  
13 charge, indictment, conviction, which is in  
14 this case absent.

15 Q. Where did Mujil live at the  
16 time of this designation?

17 A. I'm not aware, but -- I'm not  
18 aware of it.

19 Q. And I'll represent to you that  
20 he lived in Saudi Arabia.

21 Would the United States have  
22 the ability to arrest Mujil in Saudi Arabia?

23 A. I think this is a hypothetical  
24 question, and therefore I cannot, you know --  
25 you know, put a -- I cannot like, you know,

This Transcript Contains Confidential Material

1 answer this.

2 If there is an indictment from  
3 the US side, I mean, then that's another  
4 issue altogether. But was there an  
5 indictment, you know, from the US side.

6 Q. Do you know whether Mujil was  
7 ever taken into custody by Saudi authorities?

8 A. I'm not aware.

9 Q. If he had been taken into  
10 custody by Saudi authorities, would you view  
11 that as significant?

12 MR. SEQUEIRA: Objection to  
13 form.

14 You may answer.

15 THE WITNESS: Yeah. I mean,  
16 the question here, and as it is in  
17 Saudi Arabia, people are taken into  
18 custody. The question is, do they  
19 then get a trial and they get a  
20 sentence.

21 If he is tried and sentenced,  
22 that's different. If he is then freed  
23 and no longer in custody, without a  
24 trial and without a sentence, then  
25 that in itself should be significant.



This Transcript Contains Confidential Material

1 QUESTIONS BY MR. CARTER:

2 Q. Do people ever get held in  
3 Saudi Arabia for extended periods of time  
4 without a trial and sentence?

5 A. I'm aware of that, yes.

6 Q. So within the legal processes  
7 that you're familiar with in Saudi Arabia,  
8 there could be a lengthy detention that would  
9 not result in a public indictment or trial.

10 Correct?

11 MR. SEQUEIRA: Objection.

12 Vague.

13 THE WITNESS: I'm not aware of  
14 the legal process in Saudi Arabia.

15 MR. CARTER: If we can, let's  
16 pull up the joint CIA-FBI assessment  
17 of support for terrorism, and I'm  
18 going to ask Scott if he knows where  
19 that is.

20 MR. TARBUTTON: Tab 60,  
21 Lormel 9.

22 MR. CARTER: It's at -- Gina,  
23 it's at Tab 60. It's Lormel 9.

24 (Lormel Exhibit 9 previously  
25 marked and referenced.)

This Transcript Contains Confidential Material

1 QUESTIONS BY MR. CARTER:

2 Q. And if we can page to -- sorry,  
3 Mr. Dean. Does that come up in front of you?

4 A. I'm just waiting for it.

5 It came up. So which page,  
6 please?

7 Q. Mr. Dean, are you familiar with  
8 this document? Have you ever seen or  
9 reviewed previously?

10 A. Yes, I did.

11 Q. And was that in connection with  
12 the preparation of your report in this  
13 matter?

14 A. Yes.

15 Q. And if we can turn to -- Gina,  
16 if you can scroll through, I think it's  
17 page 4 or 5.

18 And on page 5, Mr. Dean,  
19 there's a summary of information provided by  
20 Khalid Sheikh Mohammed.

21 I understand you know who that  
22 is.

23 A. Yes.

24 Q. It says, "In early 2003, Khalid  
25 Sheikh Mohammed identified an individual



This Transcript Contains Confidential Material

1     named bin Jiluwi, who may be identifiable  
2     with Turki bin Fahd Jiluwi, an important  
3     al-Qaeda donor who hails from a minor line of  
4     the Saudi royal family. Separate sensitive  
5     reporting indicates that bin Jiluwi is a key  
6     leader of the Eastern Province office of the  
7     International Islamic Relief Organization,  
8     NGO."

9                     Were you familiar with this  
10    information when you wrote your report?

11            A.     I was familiar with this  
12    information, yes.

13            Q.     Did you take it into  
14    consideration in connection with your opinion  
15    that there was not involvement by officials  
16    of the charities within Saudi Arabia in the  
17    terrorist activities that were carried out  
18    through branches?

19            A.     Yes. It still informs my  
20    assessment, as I have stated in my report.

21            Q.     So despite this information,  
22    you adhere to your view that there was not  
23    involvement on the part of officials of the  
24    IIRO in Saudi Arabia in the support of  
25    terrorism?

1 MR. SEQUEIRA: Objection.

2 Vague.

3 You may answer.

4 THE WITNESS: The problem with  
5 the document we have is the fact that  
6 KSM identified the individual's name,  
7 bin Jiluwi, who may be identifiable  
8 with Turki bin Fahd Jiluwi. And even  
9 the name is not pronounced correctly.  
10 It should be Turki bin Fahad bin  
11 Jiluwi.

12 And it says here, "an important  
13 al-Qaeda donor who hails from a minor  
14 line in the Saudi royal family."

15 I mean the problem here is, is  
16 the fact that -- is that who may be.  
17 So even an identify -- you know, there  
18 is difficulty even identifying the  
19 exact individual who KSM may or may  
20 have not remembered his name  
21 correctly, and therefore he just  
22 mentioned the name bin Jiluwi.

23 And bin Jiluwi, like, you know,  
24 we're talking about hundreds of  
25 people. You know, could be any one of



This Transcript Contains Confidential Material

1           them.

2                       And, therefore, I mean, this is  
3           what I'm talking about the reliability  
4           of a lot of the intelligence that was  
5           coming in that period was rather  
6           questionable.

7   QUESTIONS BY MR. CARTER:

8           Q.       Mr. Dean, are you aware that  
9           depositions have been conducted in this  
10          litigation of the head of the IIRO during  
11          this time period?

12          A.       I wasn't aware.

13          Q.       And so you -- the individual in  
14          question was named Adnan Basha.

15                    Is that name familiar to you?

16          A.       Yes, it is familiar.

17          Q.       You did not review the  
18          deposition testimony of Mr. Basha?

19          A.       No.

20          Q.       So in connection with the  
21          evaluation of the reporting in this CIA-FBI  
22          document, you have not had a chance to review  
23          Mr. Basha's testimony concerning an IIRO  
24          official named Turki bin Jiluwi?

25          A.       No.

This Transcript Contains Confidential Material

1 MR. SEQUEIRA: Objection.

2 Vague.

3 You may answer.

4 THE WITNESS: But, no. No.

5 QUESTIONS BY MR. CARTER:

6 Q. Mr. Dean, at the beginning  
7 of -- or at the bottom of page 10, you  
8 discuss your opinion that "another major and  
9 pervasive flaw in Miner's and Kohlmann's  
10 understanding is they characterize any  
11 alleged support for armed resistance  
12 against" --

13 A. I'm sorry. Are you talking  
14 about page 10 of the CIA report? Of the FBI  
15 report?

16 Q. No, of your report. I'm sorry,  
17 of your report.

18 A. Page 10. Okay.

19 Yes, please, go ahead.

20 Q. "Another major and pervasive  
21 flaw in Winer's and Kohlmann's understanding  
22 is they characterize any alleged support for  
23 armed resistance against Russian and  
24 Russian-backed forces in Afghanistan from  
25 1979 to 1992, and Chechnya from 1994 to 1996,



This Transcript Contains Confidential Material

1 and against Serbian forces in Bosnia and  
2 Kosovo from 1992 to 1995 as support for  
3 al-Qaeda."

4 Do you see that?

5 A. Yes, I do see.

6 Q. And you go on to say that "The  
7 ideological motivations behind al-Qaeda's  
8 terrorism were very different than the  
9 resistance movements in the Balkans and  
10 Caucuses."

11 Correct?

12 A. Yes.

13 Q. And you say, "On the ground,  
14 al-Qaeda had practically no role in Chechnya  
15 or Bosnia."

16 Correct?

17 A. During the conflict, yes.

18 Q. And that you personally  
19 observed that the leadership of this foreign  
20 contingent had no interest in coordinating  
21 with al-Qaeda in its global terrorism  
22 campaign.

23 Correct?

24 A. Yeah. During the conflict,  
25 yes.

This Transcript Contains Confidential Material

1 Q. And there you were referring to  
2 both the conflicts in Bosnia and Chechnya?

3 A. Sorry, can you repeat this  
4 again?

5 Q. When you're referring to "I  
6 personally observed that the leadership of  
7 this foreign contingent had no interest in  
8 coordinating with al-Qaeda," are you  
9 referring to the foreign contingents in both  
10 Bosnia and Chechnya?

11 A. Yes.

12 Q. And you go on to say, "In  
13 Bosnia, the foreign resistance fighters, I  
14 was one, operated under the auspices of the  
15 Bosnian government."

16 Do you see that section?

17 A. Yes.

18 Q. Now, with regard to your  
19 criticisms of Mr. Kohlmann's understanding of  
20 the conflict in Bosnia, are you aware that  
21 you cite approvingly to his book concerning  
22 al-Qaeda's involvement in Bosnia in the notes  
23 of your book?

24 A. Yes, I'm aware of that.

25 Q. Had you read his book at the



1 time you decided to include it as an  
2 authority in the notes to your book?

3 A. It wasn't included as an  
4 authority; it was included as a reference.

5 Q. But when you were collecting  
6 references for purposes of including in your  
7 book, did you try to include reliable  
8 references?

9 A. It is references that basically  
10 narrated the event rather than looking into  
11 confirmation.

12 Q. Are you aware that the 9/11  
13 Commission also cited to Mr. Kohlmann's book  
14 and directed readers to it as a resource on  
15 understanding al-Qaeda's involvement in  
16 Bosnia?

17 MR. SEQUEIRA: Objection.

18 Vague.

19 You may answer.

20 THE WITNESS: Again,

21 Mr. Kohlmann wasn't in Bosnia. I was.

22 QUESTIONS BY MR. CARTER:

23 Q. Well, do you happen to know  
24 whether Mr. Kohlmann spent time interviewing  
25 participants in the Bosnian conflict?

This Transcript Contains Confidential Material

1 A. Yeah, I'm aware of that.

2 Q. And would you consider the  
3 interviews of those participants in the  
4 conflict to be primary sources?

5 A. I would consider them to be  
6 primary sources if only I know who -- you  
7 know, who they are, I mean, and their  
8 identity.

9 I mean, the problem is that I'm  
10 not aware of any of the people who I fought  
11 alongside with and were members of the  
12 Mujahideen brigade that were giving these  
13 statements to Mr. Kohlmann.

14 Q. With regard to the statement in  
15 your report that the foreign resistance  
16 fighters, by which I understand you're  
17 referring to the Mujahideen in Bosnia,  
18 operated under the auspices of the Bosnian  
19 government, are you saying that the  
20 Mujahideen brigade was under the effective  
21 control of the Bosnian army?

22 A. Based on my experience at the  
23 time and my knowledge and my research since  
24 that time, since 1994, 1995, I would say that  
25 the Mujahideen battalion, later known to be



1 the Mujahideen brigade, were under the  
2 control of the Bosnian Armed Forces, yes.

3 Q. You're aware that there were  
4 more crime proceedings relating to various  
5 events in Bosnia before the International  
6 Criminal Tribunal for the former Yugoslavia?

7 A. I'm aware of that.

8 Q. And in fact, I think you  
9 indicate that the mass beheading that you  
10 discuss in your report was one of the events  
11 that was the subject of a proceeding before  
12 the Tribunal?

13 MR. SEQUEIRA: Objection. It's  
14 not referenced in the Tribunal.

15 THE WITNESS: Yeah. Sorry,  
16 it's not referenced in my report,  
17 so...

18 QUESTIONS BY MR. CARTER:

19 Q. I'm sorry. In your book --

20 A. Yeah.

21 Q. -- I believe that you recount  
22 that the mass beheading event described in  
23 your book was the subject of a criminal  
24 proceeding before the ICTY.

25 Is that correct?

This Transcript Contains Confidential Material

1 MR. SEQUEIRA: Objection.

2 You may answer the question.

3 THE WITNESS: And how is that  
4 relevant?

5 QUESTIONS BY MR. CARTER:

6 Q. Well, in the section of your  
7 book discussing this on page 39, you  
8 acknowledge that the Bosnian military  
9 commanders asserted that they had no control  
10 over the Mujahideen brigade.

11 Correct?

12 A. I need to read that exact  
13 statement here, please.

14 I did not say that. It was --  
15 you know, and I will read exactly the  
16 wordings.

17 "The massacre of Serb fighters  
18 after the Battle of Vozuca was later featured  
19 in trials at the International Criminal  
20 Tribunal in The Hague, where Bosnian  
21 commanders asserted they had no control over  
22 the Mujahideen brigade."

23 That's what they said.

24 And I will caution that of  
25 course they would say this in front of a



~~This transcript contains confidential material~~

1 court at that time in order to escape any  
2 accountability.

3 Q. Well, do you know how that  
4 claim was resolved?

5 A. I wasn't aware.

6 Q. So you don't know what the  
7 Criminal Tribunal for the former Yugoslavia  
8 determined with regard to that issue?

9 A. I wasn't aware.

10 Q. In Bosnia, I believe you  
11 indicate in your book at pages 28 to 29, that  
12 the overall commander of the Mujahideen  
13 brigade was Anwar Shaaban.

14 Correct?

15 A. Yes.

16 Q. And I think we discussed this  
17 earlier. You identify him in your book as a  
18 senior member of Gama al-Islamiya.

19 Correct?

20 A. Yeah. Yes.

21 Q. Do you know whether Gama  
22 al-Islamiya had connections to al-Qaeda  
23 during that time period?

24 A. During that time period, Gama  
25 al-Islamiya was split into two groups. One

This Transcript Contains Confidential Material

1 group was based out of Europe, and one group  
2 was based out of Sudan, Afghanistan.

3 The Sudan, Afghanistan branch  
4 were in touch with al-Qaeda, but the Egypt  
5 and Europe branch were not in touch with  
6 al-Qaeda, and there were friction between the  
7 two factions.

8 Q. The branch that was in Sudan  
9 was at that time headed by Ayman al-Zawahiri.

10 Correct?

11 A. No. Ayman al-Zawahiri was the  
12 head of the Egyptian Islamic Jihad.

13 Q. Sorry.

14 A. EIJ.

15 Q. But there was a Gama  
16 al-Islamiya presence in Sudan as well?

17 A. Yeah, but that was separate  
18 from bin Laden, separate from al-Qaeda,  
19 separate from Egyptian Islamic Jihad.

20 Q. And now in this -- in this  
21 recounting of Anwar Shaaban's background, you  
22 indicate at the top of 28 that he was a  
23 veteran of the Afghan jihad. I believe we  
24 discussed this earlier, and you were unsure  
25 about that.



This Transcript Contains Confidential Material

1 A. Yeah.

2 Q. Does this refresh your memory?

3 A. Yeah, it does.

4 Q. And you note that he had gained  
5 prominence as the firebrand imam of the  
6 Islamic Cultural Institute in Milan?

7 A. Yes, I'm aware of that.

8 Q. And you then in a note indicate  
9 that "Under Shaaban, the Islamic Cultural  
10 Institute in Milan, a former garage turned  
11 into a mosque, became a key logistical hub  
12 for the Bosnian jihad."

13 Then you go on to say that  
14 "Shortly after 9/11, the United States  
15 Treasury Department labeled it the main  
16 al-Qaeda station house in Europe used to  
17 facilitate the movement of weapons, men and  
18 money across the world."

19 Do you see that?

20 A. Yeah, I see that.

21 Q. So in your own book, you  
22 identify Shaaban as having operated the main  
23 al-Qaeda station house in Europe.

24 Correct?

25 A. No, it's not correct, because

1     that mosque became more and more radical  
2     after the 1998 bombings of the US Embassy in  
3     Nairobi and Tanzania.

4                     However, at that time it was  
5     more engaged in support for the Bosnia  
6     Mujahideen contingent. Was not involved with  
7     al-Qaeda. That involvement will happen  
8     later, in 1998.

9             Q.     Are you asserting that Shaaban  
10    did not have al-Qaeda connections?

11            A.     I am asserting that Anwar  
12    Shaaban did not share al-Qaeda's aims and  
13    goals and did not integrate the Mujahideen  
14    brigade with al-Qaeda operationally or  
15    ideologically.

16            Q.     And in terms of al-Qaeda's  
17    linkages to the conflict in Bosnia, am I  
18    correct that on page 41 of your book, you  
19    indicate that Yusuf al-Ayeri had told you  
20    that bin Laden had stayed in contact with  
21    jihadists in Chechnya and Bosnia during the  
22    period in Sudan?

23                   MR. SEQUEIRA: Objection to  
24                   form.

25                   You may answer, if you can.



1 THE WITNESS: I need to read.

2 I don't see any reference here

3 to bin Laden staying in touch with

4 Mujahideen in Bosnia or Chechnya.

5 QUESTIONS BY MR. CARTER:

6 Q. Okay. At the bottom of

7 page 41, in the note you say -- in the star

8 note you say, "al-Ayeri told me that in

9 Sudan, bin Laden had kept in touch with

10 jihadis on other fronts, including

11 Afghanistan, Chechnya and Bosnia, through

12 radio transmissions using coded references."

13 Is that correct?

14 A. Well, this is his recollection,

15 yes.

16 Q. Now, earlier you mentioned to

17 me that you were familiar with who Jamal

18 al-Fadl was but that you did not ever meet

19 him.

20 Correct?

21 A. No. No, never met him.

22 Q. Are you familiar with any of

23 the information al-Fadl has offered

24 concerning al-Qaeda's connections to the

25 jihad in Bosnia?

This Transcript Contains Confidential Material

1           A.       I'm not aware of that.

2                   (Dean Exhibit 4 marked for  
3           identification.)

4   QUESTIONS BY MR. CARTER:

5           Q.       If we can mark as the next  
6   exhibit the document at Tab 6.

7                   And if we can turn to page 23  
8   of this document, which is at PEC-KSA 2036.

9                   This is the government's  
10   evidentiary proffer that is cited in the  
11   notes to the 9/11 Commission that we reviewed  
12   previously, Mr. Dean.

13                  Do you recall discussing that  
14   reference?

15          A.       I'm reading.

16                  Okay. I have read it -- I have  
17   a read, so please tell me what is the  
18   question.

19          Q.       Well, the summary from the US  
20   government on page 23 of this government  
21   {sic} indicates that bin Laden dispatched  
22   al-Qaeda representatives in 1992 from Sudan  
23   to gather information about Bosnia and the  
24   prospects of acquiring businesses in Croatia  
25   for use by al-Qaeda.



This transcript contains Confidential Material

1                   And it goes on to explain that  
2     one of those individuals was Abdul Rahman  
3     al-Dosari, and that Dosari stated that  
4     al-Qaeda's goal in Bosnia was to establish a  
5     base for operations in Europe against  
6     al-Qaeda's true enemy, the United States.

7                   Are you aware of -- were you  
8     aware of this information at the time you  
9     authored your expert report?

10           A.     Okay. First of all, I question  
11     the reliability of the information because it  
12     described Abu Zubair al-Madani as a cousin  
13     the bin Laden, when, in fact, basically they  
14     have no relation whatsoever. Abu Zubair  
15     al-Madani was killed by Egyptian UN forces in  
16     Sarajevo airport in 1993.

17                   And he stayed there against the  
18     expressed -- according to his own brother,  
19     who made this a public knowledge through a  
20     video that is available in multiple different  
21     media formats and social media -- that Osama  
22     bin Laden's expressed orders was for him to  
23     abandon Bosnia and to come back to Sudan  
24     because, quote, we don't want to have  
25     anything to do with a secular government

This Transcript Contains Confidential Material

1     there and that the jihad there is a waste of  
2     blood, of precious blood, of the Mujahideen.

3                     So the fact of the matter as  
4     that the document is quoting Abu Zubair  
5     al-Madani as the cousin of bin Laden is  
6     totally inaccurate. Totally.

7                     And the second thing is that  
8     this document does not show that what was the  
9     outcome. Did they establish training camps?  
10    No. Did they, you know, send the contingents  
11    and more people after that in order to  
12    establish a whole presence there? The answer  
13    is no.

14                    So, therefore, an  
15    exploratory -- if it did happen, an  
16    exploratory exhibition by some members of  
17    al-Qaeda does not constitute a presence.

18                    And it talks about Croatia.  
19    It's not even like, you know, I mean, inside,  
20    you know, Bosnia proper.

21                    And as for Abu Zubair  
22    al-Madani, he, according his own brother in  
23    public broadcasts, you know, in -- available  
24    on social media, said that "my own brother,  
25    Abu Zubair al-Madani, was killed in Sarajevo



1 in 1993 next to the airport." Stated that  
2 "he disobeyed Osama bin Laden's strict orders  
3 to leave Bosnia."

4 Q. Do you happen to know whether  
5 Abdul Rahman al-Dosari actually stayed in  
6 Bosnia and fought?

7 A. I'm not aware of the name or  
8 the man.

9 By the way, halawa means  
10 mortar. But nonetheless, I'm not aware of  
11 this man.

12 Q. With regard to your statements  
13 about al-Qaeda's involvement in Chechnya, do  
14 you recall that in -- on page 113 of your  
15 book, you talk about Yusuf al-Ayeri's role in  
16 providing funding for the Chechen jihad in  
17 1999?

18 A. 113?

19 Q. Yep.

20 In the note you say, "After he  
21 was released from prison in mid-1998, Ayeri  
22 made several trips to al-Qaeda's camps in  
23 Afghanistan. After the second Chechen war  
24 started in 1999, he was a key fundraiser for  
25 his friend Ibn Khattab's jihadi efforts

This Transcript Contains Confidential Material

1       there."

2               A.       Yeah, I see it.

3               Q.       So am I correct that during  
4       this period, Ayeri was simultaneously part of  
5       al-Qaeda and also a key fundraiser for Ibn  
6       Khattab's jihad efforts in Chechnya?

7               A.       The efforts of al-Ayeri at that  
8       time in order to raise funds for the jihad in  
9       Chechnya was dually -- and as I said here in  
10      the statement, dually due to his personal  
11      friendship with Ibn Khattab, the fact that  
12      they are from the same city and from the same  
13      neighborhood.

14                      It wasn't al-Qaeda's formal  
15      policy. And that is exactly, you know, why  
16      he was involved in that fundraising activity  
17      for Ibn Khattab, and that was in the second  
18      war, which was, you know, ignited in late  
19      1999, while I was referring in most of the  
20      time to the first war, the period between  
21      1994 and 1996.

22              Q.       To your knowledge, was  
23      bin Laden involved in supporting Ibn  
24      Khattab's jihad in Chechnya during that  
25      second period, 1999 forward?



This Transcript Contains Confidential Material

1           A.       Can you please define  
2       "support," please?

3           Q.       Providing money, sending  
4       troops, helping with recruitment.

5           A.       In the first war or the second  
6       war?

7           Q.       Let's do the second first.

8           A.       The second, there was no time.  
9       I mean, you know, Osama bin Laden was already  
10      preparing for 9/11, and there was no -- from  
11      my opinion and based on the, you know,  
12      extensive knowledge that I have on the  
13      subject and the experience and the expertise  
14      and historical knowledge, I would say that  
15      al-Qaeda's resources were already stretched  
16      thin, and therefore they wouldn't have taken  
17      on the burden of what was taking place and  
18      the focus was on the second war.

19                   In the first war, it is very  
20      clear that Ibn Khattab wasn't exactly willing  
21      even to receive -- as I state in the book,  
22      wasn't willing to receive Ayman al-Zawahiri  
23      even.

24           Q.       And I gather you're referring  
25      to the section of your book where you discuss

This Transcript Contains Confidential Material

1       Zawahiri's attempts to enter into Chechnya  
2       while you were working for Al-Haramain?

3               A.       Yes.

4               Q.       And did Ayman al-Zawahiri  
5       during that time come to the Al-Haramain  
6       offices in Baku, Azerbaijan?

7               A.       Yes.

8               Q.       And was he hosted by the  
9       representatives of that office while he was  
10      trying to make arrangements to get into  
11      Chechnya?

12              A.       No.

13              Q.       What was the purpose of his  
14      visit to the office?

15              A.       In order to gain entry into  
16      Chechnya.

17              Q.       Why did he need to come to the  
18      Al-Haramain office to do that?

19              A.       It's because the main conduit  
20      for the entry into Chechnya at that time was  
21      through that particular office.

22              Q.       The Al-Haramain office?

23              A.       The -- as I stated before, the  
24      Al-Haramain was sending support to the  
25      Chechen rebels at that time. And because of



This Transcript Contains Confidential Material

1 the fact that they were sending support to  
2 the Chechen rebels at that time, therefore,  
3 they are familiar with, you know, the routes,  
4 and therefore he was hoping to get an entry.  
5 Except he was disappointed. There was no  
6 entry.

7 Q. He was unable to get into  
8 Chechnya.

9 Correct?

10 A. I wasn't able, and neither was  
11 Zawahiri.

12 Q. And where was Zawahiri  
13 headquartered at that time?

14 A. We have no idea. Most likely  
15 he was with possibly -- and this is just a  
16 speculation on our part at the time, myself  
17 and my -- you know, the other people who were  
18 in the office, that he might be spending time  
19 with his fellow AIJ members who were based  
20 out of Azerbaijan.

21 Q. Well, during that 1996 period,  
22 do you know if there's information that his  
23 principal base was in Sudan alongside bin  
24 Laden?

25 A. Yeah. At that time his

This Transcript Contains Confidential Material

1 principal base was Sudan.

2 Q. And in Sudan, he was residing  
3 alongside bin Laden and the al-Qaeda  
4 organization.

5 Correct?

6 A. That is correct, but they were  
7 still separate organizations. They haven't  
8 merged until February of 1998.

9 Q. And in that time, Zawahiri was  
10 trying to get into Chechnya because he had an  
11 interest in the conflict there?

12 A. We cannot speak as to the mind  
13 of, you know, Zawahiri at that time. Why he  
14 wanted to go and meet Ibn Khattab is a -- you  
15 know, is a question that's difficult to  
16 answer, like, you know, I mean, with  
17 certainty.

18 What we know is that Ibn  
19 Khattab sent us a letter stating very clearly  
20 that, please, do not let him come, and do not  
21 let him come to me.

22 (Dean Exhibit 5 marked for  
23 identification.)

24 QUESTIONS BY MR. CARTER:

25 Q. Can we mark as the next exhibit



This Transcript Contains Confidential Material

1 the UN document at Tab 55?

2 Mr. Dean, this is a UN  
3 designation {sic} relating to the designation  
4 of the Islamic International Brigade.

5 Do you see that?

6 A. Yes, I see it now.

7 Q. Are you familiar with this?

8 A. I'm not familiar with this, no.

9 Q. It says that the  
10 international -- the Islamic International  
11 Brigade was founded and led by Shamil  
12 Salmanovich Basayev.

13 Do you know who that is?

14 A. Yeah. I am aware who Shamil  
15 Basayev is.

16 Q. And who was he?

17 A. He was one of the leaders of  
18 the Chechen rebels.

19 Q. And during what time period was  
20 he one of the leaders of the Chechen rebels?

21 A. If you are asking about the  
22 time frame, he was a leader of the Chechen  
23 rebels from 19 -- one of the leaders of the  
24 Chechen rebels from 1992 until 1996, and then  
25 after that, in the conflict between 1999

1       until 2004.

2                       MR. SEQUEIRA:   Excuse me,  
3       Mr. Carter, can I ask the question?  
4       How did you characterize this  
5       document?

6                       MR. CARTER:   It's a document  
7       pertaining to a listing of the Islamic  
8       International Brigade.

9                       MR. SEQUEIRA:   Okay.   I thought  
10      you had characterized it differently.  
11      I see here that it says, "Submitted by  
12      anonymous, not verified."

13                      I just wanted to make that  
14      note.

15                      MR. CARTER:   Yeah.

16      QUESTIONS BY MR. CARTER:

17              Q.       And can we turn to the second  
18      page of it?

19              A.       Okay.

20                      Can I ask just a quick  
21      question, please?

22              Q.       Sure.

23              A.       What is the date of the  
24      designation?

25              Q.       You can go back.



This transcript contains confidential material

1 A. Yeah.

2 Q. The date of the document is  
3 2010. And then if we turn to the second  
4 page, we get a sense of the time frame.

5 It talks about there being  
6 numerous ties -- I'm sorry. It indicates  
7 that the Islamic International Brigade was  
8 led by Basayev and the late Saudi national  
9 Ibn al-Khattab.

10 Do you see that?

11 A. Yeah, I see it.

12 Q. And then if we go down, it says  
13 that there are numerous ties linked to the  
14 leadership of these entities with al-Qaeda,  
15 the Taliban and Osama bin Laden.

16 "In October of 1999" -- lots  
17 moving on the screen, so I lost my spot.

18 "In October of 1999, emissaries  
19 of Basayev and al-Khattab traveled to Osama  
20 bin Laden's home base in the Afghan province  
21 of Kandahar where bin Laden agreed to provide  
22 substantial military assistance and financial  
23 aid, including by making arrangements to send  
24 to Chechnya several hundred fighters against  
25 the Russian troops and perpetrate acts of

This Transcript Contains Confidential Material

1 terrorism. Later that year, bin Laden sent  
2 substantial amounts of money to Basayev and  
3 Khattab which was to be used exclusively for  
4 training gunmen, recruiting mercenaries and  
5 buying ammunition."

6 Do you see that?

7 A. I do see that, yes.

8 Q. And at the end, there's a  
9 reference to their having received several  
10 million dollars from international terrorist  
11 organizations, including al-Qaeda.

12 Do you disagree with this,  
13 Mr. -- with this information, Mr. Dean?

14 A. The question is, you know,  
15 who -- the source of this intelligence and  
16 the source of this information and the source  
17 of this document. I mean, you know, may I  
18 know like, you know, basically who wrote even  
19 this intelligence?

20 Q. Well, I mean, I suppose I'm  
21 asking whether or not you have a basis to  
22 disagree with the statement that "In October  
23 of 1999, emissaries of Basayev and al-Khattab  
24 traveled to Osama bin Laden's home base in  
25 Kandahar where bin Laden agreed to provide



This Transcript Contains Confidential Material

1 substantial military assistance and financial  
2 aid."

3 MR. SEQUEIRA: Objection to  
4 form.

5 QUESTIONS BY MR. CARTER:

6 Q. Do you know one way or another  
7 whether that's true?

8 A. Mr. Carter, intelligence is not  
9 done like this. I mean, intelligence is  
10 that, you know -- you know, you're talking  
11 about identifying the individuals who  
12 traveled, you know, the dates, the time, you  
13 know, what was discussed, and at the same  
14 time their methodology through which all of  
15 these millions of dollars traveled.

16 And also, you have to assess  
17 the veracity through the fact that whether  
18 the information do make sense.

19 It is highly unlikely that  
20 hundreds of fighters would have traveled to  
21 Afghanistan, to Chechnya, at that time. And  
22 the reason for that is because it is  
23 extremely difficult, you know. You know,  
24 people encounter this in 1995, 1996, and  
25 people encountered it again in 1999, 19 --

This Transcript Contains Confidential Material

1     2000, 2001, to penetrate into Chechnya and to  
2     enter.

3                     The Russian army had that place  
4     surrounded. And the idea that two or three  
5     people can go through might be, you know,  
6     plausible, but several hundreds, you know,  
7     can go through? It's not plausible.

8             Q.     Well --

9             A.     The -- I don't know who is the  
10    author of this document, so basically I  
11    cannot say it is true or not.

12                    All I can say is that what is  
13    written there doesn't make sense.

14            Q.     Okay. Mr. Dean, you've offered  
15    an opinion that there weren't -- wasn't  
16    operational involvement on the part of  
17    al-Qaeda in the Chechen conflict during this  
18    period 1999 forward.

19                    When you offered that opinion,  
20    were you aware of this information or not?

21            A.     Aware of this information that  
22    is in front of me right now?

23            Q.     Yes.

24            A.     How can I be aware of something  
25    that I only just read right now?



1 Q. Well, you're a researcher in  
2 this field, and you purport to be an expert.  
3 And as a general matter, experts tend to have  
4 an awareness of significant pieces of  
5 information like designations of this nature.

6 A. First of all, the -- I don't --  
7 I don't know even the identity of the author  
8 of the document that you're presenting here  
9 or what source of the intelligence.

10 You know, at the end of the  
11 day, if a document purported to be talking  
12 about the relationship between the  
13 International Islamic Brigade, you know, and  
14 al-Qaeda, then these links must be  
15 substantiated with evidence and with sound  
16 intelligence.

17 It's just -- I'm sorry to say,  
18 it looks like hearsay.

19 Q. In terms of your statement in  
20 your report that --

21 A. What statement?

22 Q. Sorry. The statement on -- the  
23 statements on page 11, the -- that the  
24 leadership of this foreign contingent, you  
25 said earlier this included Chechnya, had no

This Transcript Contains Confidential Material

1 interest in coordinating with al-Qaeda.

2 Do you see that statement?

3 A. Yes, I do.

4 Q. Aside from what you referred to  
5 as your personal observation, are you aware  
6 of any government reports or authoritative  
7 publications that reflect that same position?

8 A. I'm aware that in the period  
9 between 9/11 and 2010, there has been  
10 significant amount of disinformation coming  
11 out of the Kremlin at that time in order to  
12 link the Chechen rebels to al-Qaeda. It was  
13 a plausible strategy, as far as President  
14 Vladimir Putin is concerned. And, therefore,  
15 since 9/11, he realized that he can exploit  
16 this newfound joint, you know -- you know,  
17 cause with the US that you're fighting  
18 terrorism, I'm fighting terrorism, and by the  
19 way, your enemy and my enemy are one.

20 The pattern which I base my own  
21 methodology of research on, you know, first,  
22 you start with a pattern.

23 The pattern tells me that Ibn  
24 Khattab spent his life fighting the Russians  
25 in Afghanistan, in Tajikistan, in Chechnya.



This Transcript Contains Confidential Material

1 Why would he join hands with people who want  
2 to fight the US?

3 His entire focus, his entire  
4 literature, and hours and hours of his  
5 interviews, do not focus on the United  
6 States. They focus on Russia and their --  
7 what he see -- what he saw at that time as  
8 their illegal occupation of the Caucasuses.  
9 That was his concern.

10 So this is why we have to look  
11 at the context at the time. You know, the --  
12 there were many numerous publications.  
13 Because at the end of the day, what happened  
14 is, all that -- all we have to do is have  
15 just several articles going into the press  
16 saying multitude of links between al-Qaeda  
17 and, you know, the Chechen rebels, and then  
18 these are repeated and repeated and becomes  
19 a -- just a vicious cycle of an echo chamber,  
20 you know, and bias confirmation then takes  
21 over.

22 The reality is that prior to  
23 9/11, the Russians were not going around  
24 like, you know, I mean, and trying to win  
25 brownie points with anyone else trying to

This Transcript Contains Confidential Material

1 claim that basically this is al-Qaeda, you  
2 know. They might have said it once or twice,  
3 but no one was buying it in The West.

4 It is after 9/11 that the  
5 Russian disinformation became more prominent.

6 Q. So you believe that the UN, in  
7 issuing the document that was in front of  
8 you, was a trick by Russian disinformation?

9 A. The UN issued several  
10 designations, and then these designations  
11 were rescinded years later. The problem is,  
12 designation in itself does not mean  
13 necessarily, you know, a guilt. And Russia  
14 does indeed like, you know, have a permanent  
15 seat in the US conflict.

16 Q. Well, you indicated a minute  
17 ago that Khattab's focus on Russia would have  
18 made it illogical for him to partner with  
19 bin Laden, who wanted to target the United  
20 States.

21 Correct?

22 A. That was my statement, yes.

23 Q. Now, in order to fight Russia,  
24 Khattab needed money.

25 Right?



This Transcript Contains Confidential Material

1           A.       Ibn Khattab needed money, and  
2       that money was coming from a dedicated  
3       fundraising network of his.

4           Q.       Including Ayeri, who was part  
5       of al-Qaeda.

6                    Right?

7           A.       Including Abdullah al-Wabil,  
8       who I mention in my book. And I specifically  
9       talk about him because he was also, you know,  
10      the main fundraiser for Ibn Khattab.

11          Q.       And the question I had asked  
12      before a rather long answer you gave is  
13      whether you could point me to any  
14      authoritative publication or government  
15      report based on your experience in the field  
16      that concludes that al-Qaeda had no  
17      involvement in the Chechen conflict in the  
18      late 1990s.

19                   Are you able to provide me with  
20      a citation to any document that I could look  
21      at on that point?

22          A.       There is one thing that we have  
23      to focus on here right now, which is the fact  
24      that al-Qaeda and its al-Qaeda literature.  
25      It is the absence of evidence here.

1                   Al-Qaeda as an organization  
2       does nothing but brag about all of its heroic  
3       acts of jihad against the enemies of Islam.  
4       Whether what they did in Somalia, what they  
5       did in Afghanistan, what they did later in  
6       Iraq and Syria and Yemen, and yet -- and even  
7       in Somalia. But somehow they neglect to  
8       mention Chechnya and they neglect to mention  
9       Bosnia as theaters through which al-Qaeda  
10      demonstrated its credentials in defending  
11      Islam.

12                   And, I mean, if they were  
13      really present in both conflicts, as it is  
14      cited by the few documents that you're  
15      showing me, then they would have bragged  
16      about it and they would have put it in front  
17      of everyone that this is what we did.

18                   But somehow they always miss  
19      these two.

20                   Q.      Mr. Dean, I'm asking a really  
21      simple question here.

22                   A.      Does al-Qaeda --

23                   Q.      Al-Qaeda's activities in the  
24      pre-9/11 period have been the subject of a  
25      massive body of government investigation and



This Transcript Contains Confidential Material

1 academic research.

2 Do you agree with me?

3 A. Based on the fact and the  
4 knowledge that -- and my experience and my  
5 expertise, Afghanistan and the activities of  
6 al-Qaeda prior to 9/11 were unfortunately not  
7 as visible as you might like to think or many  
8 people like to think. Not only just to  
9 governments, but to Western intelligence.

10 The fact of the matter is that  
11 if it was the case, how could, you know, 9/11  
12 be unspotted before it happened. The  
13 intelligence failure was so big.

14 And even post-9/11, how could,  
15 like, you know, I mean, the US get it so  
16 wrong on the weapons of mass destruction.  
17 And the unreliability of the intelligence in  
18 that part of the world. The lack of  
19 understanding of the culture, the faith, the  
20 nuance.

21 A lot of the literature that  
22 was written about that period, unfortunately,  
23 is not of the quality to consider as  
24 reliable, historical record.

25 Q. So my question, Mr. Dean, that

This Transcript Contains Confidential Material

1 I actually asked you, which is not the one  
2 that you responded to, is whether or not you  
3 agree that al-Qaeda's activities prior to  
4 9/11 have been the subject of a massive body  
5 of government reporting as well as academic  
6 publication.

7 A. Define "massive." I mean, is  
8 it 10 books? 20 books? 30 books?

9 Q. Thousands?

10 A. Thousands of books prior to  
11 9/11, Mr. Carter?

12 Q. No.

13 I'm asking you whether or not  
14 there have been thousands of articles,  
15 reports and books written about al-Qaeda's  
16 activities in the period before 9/11.

17 A. Mr. Carter, there is a huge  
18 difference between press desk research and  
19 speculation and solid intelligence.

20 You can't rely on press  
21 speculation and desk research by academics  
22 from the comfort of their desks. We cannot  
23 rely on it to ascertain solid information and  
24 intelligence to determine, you know, the  
25 extent or, you know, even the width of this



1       phenomenon.

2                       For example, you are willing to  
3       give more credence to journalists, who some  
4       of them never set foot in Afghanistan and  
5       never shook hands with Osama bin Laden and  
6       never, like, you know, prayed, never even  
7       read a copy of the Koran, never spoke Arabic,  
8       you know, over my analysis and my information  
9       and my expertise, even though it is based on  
10      26 years of understanding of this faith, of  
11      the phenomenon, being part of it, being part  
12      of the teams that were dismantling it.

13                     So all this body of evidence  
14      that you refer to, again, it is mostly  
15      guesswork.

16                     Q.       So I take it from that answer  
17      that you believe we should discount the  
18      entire universe of government investigative  
19      reporting and academic treatments of these  
20      issues in any case where they conflict with  
21      your personal opinion referenced in your  
22      expert report?

23                     MR. SEQUEIRA:  Objection.

24                     Misstates his testimony.

25                     THE WITNESS:  I'm afraid you

1           have rephrased my words here,  
2           Mr. Carter. You said that we should  
3           disregard government investigation,  
4           and may I remind you, I was part of  
5           government investigation. So -- which  
6           you insist on disregarding, by the  
7           way. That's the first thing.

8                     The second thing, as for the  
9           academic, you know, work, the academic  
10          work since -- prior to 9/11 and then  
11          the immediate period of 9/11 and then  
12          after 2010s and 2020s, the evolution  
13          has been phenomenal. What we know now  
14          is far better than what we knew ten  
15          years earlier. And what we knew ten  
16          years earlier was far better than what  
17          we knew 20 years prior to that.

18                    So I'm saying we should not  
19          rely on unreliable research done by  
20          people without primary sources prior  
21          to 9/11.

22                    And may I repeat the fact  
23          again, I did not, you know, say that  
24          we should discard government  
25          investigations prior to 9/11 or even



This Transcript Contains Confidential Material

1           after it, because, ironically, I am  
2           one part of that government  
3           investigation, Mr. Carter.

4       QUESTIONS BY MR. CARTER:

5           Q.       So I'm going to repeat my  
6       question.

7                       We're now 25 years, almost,  
8       past this 1999 period where the conflict in  
9       Chechnya was active, and I'm trying to  
10      ascertain if -- whether, with all of the  
11      better understandings that have been  
12      developed now over the last quarter of a  
13      century, you can point me to a finding in any  
14      government report or a conclusion in any  
15      reputable study that says al-Qaeda had no  
16      involvement in Chechnya during this period?

17           A.       Okay. I will answer this  
18      question in two parts.

19                    The first part is, can you  
20      point me to any government, you know,  
21      institution that states without a shadow of a  
22      doubt, with absolute solid evidence, that  
23      al-Qaeda was running the show in Chechnya?

24           Q.       Mr. Dean --

25           A.       And the second part --

This Transcript Contains Confidential Material

1 Q. -- you're obligated to give me  
2 an answer to my question.

3 A. I am --

4 Q. The question is simple. You've  
5 offered an expert report. The expert makes  
6 it -- expert makes -- report makes a claim  
7 based on your personal experience, solely  
8 based on your personal experience.

9 Is there anything, any evidence  
10 you can point me to in the form of a  
11 government report or an authoritative  
12 publication of the counterterrorist arena,  
13 that aligns with and supports that  
14 conclusion?

15 MR. SEQUEIRA: Objection, Sean.

16 This is not the first time that  
17 you've mischaracterized his report as  
18 being solely based on his personal  
19 experience. Clearly not stated that  
20 way, and the basis of the report is  
21 identified several places.

22 THE WITNESS: Okay.

23 Mr. Carter, please, can you remember  
24 that this is not just only my personal  
25 experience, it is my professional



1 experience?

2 I've worked as an undercover  
3 agent for eight years, I worked as a  
4 banker for nine years, and I worked as  
5 a consultant for multiple governments,  
6 banks and financial institutions and  
7 law enforcements and academic  
8 institutions around the world for the  
9 past eight years.

10 So, please, show some respect  
11 and understand that, I mean, I am  
12 trying to offer a proper testimony  
13 here and testifying according to my  
14 professional as well as my personal  
15 experience. And my personal  
16 experience always inform my  
17 professional. My professional  
18 experience inform my personal.

19 As for the question of, you  
20 know, the involvement of the al-Qaeda  
21 and Chechnya, again, I'm unaware -- I  
22 will answer it now. I'm unaware of  
23 any substantial body of opinion that  
24 offers a conclusive, conclusive,  
25 indisputable evidence that al-Qaeda

1 was running the show in Bosnia and  
2 Chechnya.

3 And second of all, the habit of  
4 al-Qaeda of eulogizing their martyrs  
5 wherever they fall, whether they are  
6 in 9/11, whether they are in India,  
7 whether they are in the Mumbai attacks  
8 or whether they are in Yemen, whether  
9 they are in Iraq, whether they are in  
10 Syria, they keep always eulogizing  
11 them. However, we are missing the  
12 eulogies from Bosnia and Chechnya.

13 Can you -- you know, I'm not  
14 aware of any single eulogy where  
15 al-Qaeda said, we are, you know,  
16 celebrating the martyrdom of our  
17 brother who died in Chechnya defending  
18 Muslims there or died in Bosnia  
19 defending Muslims there.

20 They meticulously catalog their  
21 martyrs. Somehow those martyrs are  
22 absent in these two particular  
23 theaters.

24 (Dean Exhibit 6 marked for  
25 identification.)



This Transcript Contains Confidential Material

1 QUESTIONS BY MR. CARTER:

2 Q. We can mark as the next exhibit  
3 a section of the 9/11 Commission report at  
4 Tab 10.

5 Okay. And the first full  
6 paragraph on this page, Mr. Dean, says,  
7 "Bin Laden's impressive array of offices  
8 covertly provided financial and other support  
9 for terrorist activities. The network  
10 included a major business enterprise in  
11 Cyprus, a services branch in Zagreb, an  
12 office of the Benevolence International  
13 Foundation in Sarajevo which supported the  
14 Bosnian Muslims in their conflict with Serbia  
15 and Croatia, and an NGO in Baku, Azerbaijan,  
16 that was employed as well by Egyptian Islamic  
17 jihad, both as a source and conduit for  
18 finances and as a support center for the  
19 Muslim rebels in Chechnya. He also made use  
20 of the already-established third-world relief  
21 agency headquartered in Vienna, whose branch  
22 office locations included Zagreb and  
23 Budapest."

24 Do you see that?

25 A. I do see that.

This Transcript Contains Confidential Material

1           Q.       This determination by the 9/11  
2       Commission indicates that bin Laden was in  
3       fact involved in providing support to the  
4       Bosnian Muslims in their conflict with Serbia  
5       and Croatia.

6                       Correct?

7           A.       In the context -- and again, I  
8       come back to the context here -- is the fact  
9       that the 9/11 Commission report, while I have  
10      a great respect for it, it was, again,  
11      relying on the problematic and unreliable  
12      intelligence that was available at the period  
13      prior to 9/11 and the immediate years after  
14      9/11.

15                   For example, what turned out  
16      about the fact that most of the, you know,  
17      organizations that were linked to Osama bin  
18      Laden and to al-Qaeda turned out to be, in  
19      later years, not linked at all. And this  
20      happened because the intelligence at that  
21      time was unfortunately unreliable as the  
22      intelligence in later years. So the business  
23      center in Cyprus or the branch, you know,  
24      office -- services branch in Zagreb or, you  
25      know, the International Foundation in



This transcript contains confidential material

1 Sarajevo.

2 If you look at all of this,  
3 these are just vague information. Nothing of  
4 this, you know, can be attributed to sources.  
5 Nothing of this can be attributed to, you  
6 know, hard facts.

7 And we have to also get the  
8 facts. What is the extent of the support.  
9 If there was a support, what is the extent of  
10 it. How much was there. You know, how many  
11 fighters were equipped. How many tanks were  
12 provided. How many bullets were purchased.

13 It's just to say, well, we know  
14 that he supported something. Where is the  
15 quantifiable information here? I want  
16 quantifiable data. I mean, in order to --

17 Q. Mr. Dean --

18 A. Yeah.

19 Q. Mr. Dean, I think you've  
20 indicated that information you provided is  
21 reliable because it's predicated upon your  
22 personal experience in al-Qaeda and then  
23 working for MI6 undercover in al-Qaeda.

24 Right?

25 A. Once again, I repeat that my

This Transcript Contains Confidential Material

1 professional career, having served as an  
2 undercover agent within al-Qaeda, within  
3 Afghanistan and Pakistan and many other  
4 territories, I'm familiar with the MO of  
5 al-Qaeda and other organizations.

6 Familiar with -- familiarity  
7 with their tactics, their methodology, their  
8 connections, enable me to have an  
9 understanding that would necessarily make me  
10 question some, not all, but some of the  
11 findings, especially the fact that the CIA  
12 itself, you know, would question itself in  
13 2005 about the intelligence failures that was  
14 taking place between the late '90s until  
15 2005, whether it is in Iraq or Afghanistan or  
16 Pakistan or elsewhere in the region.

17 Q. Mr. Dean, with regard to this  
18 particular information, you raised some  
19 questions about the reliability of the  
20 sourcing. And I just want to point out to  
21 you that the 9/11 Commission predicated this  
22 information on facts provided by Jamal  
23 al-Fadl, who was himself a member of  
24 al-Qaeda.

25 A. May I remind, Mr. Carter, Jamal



This Transcript Contains Confidential Material

1 al-Fadl was mostly based out of Africa and,  
2 therefore, his knowledge about the Caucuses  
3 and about what was taking place in  
4 Afghanistan and Pakistan post-1996, you know,  
5 would be called into question.

6 MR. SEQUEIRA: Mr. Carter,  
7 we've been going for over 90 minutes.  
8 Do you think we could take a break?

9 MR. CARTER: Sure.

10 VIDEOGRAPHER: We're going off  
11 the record at 7:37 p.m.

12 (Off the record at 7:37 p.m.)

13 VIDEOGRAPHER: Back on the  
14 record at 8:10 p.m.

15 QUESTIONS BY MR. CARTER:

16 Q. Mr. Dean, earlier we talked  
17 about your experiences at Al-Haramain in  
18 Baku, Azerbaijan.

19 Correct?

20 A. Yes.

21 Q. And if I'm remembering  
22 correctly, you told me that the headquarters  
23 in Saudi Arabia would send money to the  
24 branch in Baku, Azerbaijan.

25 Correct?

This transcript contains Confidential Material

1 A. Yes.

2 Q. The branch in Baku, Azerbaijan,  
3 was then involved in providing funds to,  
4 among others, Ibn Khattab.

5 Correct?

6 A. Yes, that was the case.

7 Q. And would the branch in  
8 Azerbaijan provide that money in cash?

9 A. Yes.

10 Q. So if I understand the  
11 mechanism from the original source of the  
12 funds until its destination with Ibn Khattab,  
13 there would have been a bank transfer from  
14 Saudi Arabia to the branch in Baku,  
15 Azerbaijan.

16 Correct?

17 A. That would be a -- sorry. That  
18 would be a -- a bank transfer to a bank  
19 branch in Baku, and then it would be taken  
20 out as cash.

21 Q. There's a bank transfer from  
22 Saudi Arabia to a bank in Baku, Azerbaijan,  
23 where the local office holds an account.

24 Right?

25 A. Yes.



This Transcript Contains Confidential Material

1 Q. And that's how the money gets  
2 from Saudi Arabia to Baku, Azerbaijan.

3 Right?

4 A. From Al-Haramain account in the  
5 headquarters in Saudi Arabia to the office in  
6 Baku, yeah.

7 Q. And at that point, the modus  
8 operandi of delivering the funds to militants  
9 in cash would be implemented in Baku?

10 A. The cash is withdrawn, and then  
11 there are several things, you know, to do  
12 with it. The first thing is to buy  
13 equipment, to buy food, to buy fuel. And the  
14 fact of the matter is that the vast majority  
15 of the cash was going to the right intended  
16 recipients, you know, refugee camps, there  
17 were, you know, quite several of them; you  
18 know, the orphanages, there were quite  
19 several of them; and looking after those who  
20 need it.

21 So the diversion was of a small  
22 percentage, but still it's a percentage,  
23 roughly about maybe 15 percent at that time.  
24 Some months it was much less. And then that  
25 would be in the form of cash, equipment,

This Transcript Contains Confidential Material

1 batteries, medicine, and that would be put  
2 into trucks and sent.

3 Q. Again, just trying to make sure  
4 I understand.

5 The interface between the local  
6 office and the militants involving the  
7 transfer of cash happened locally.

8 Right?

9 A. The cash is taken into the  
10 office, and then the most important thing  
11 happen is the fact that the allocation of the  
12 cash into the other regional places such as  
13 the refugee camps and medical and clinics  
14 other things, similar.

15 However, whatever that is  
16 allocated to the Chechen rebels would be done  
17 through half cash, and the other half is in  
18 kind, such as medicine and other items and  
19 equipments.

20 Q. Now, turning to pages 13 to 14  
21 of your report, you indicate that "Winer is  
22 wrong to suggest that al-Qaeda depended on  
23 donations from the subject charities.  
24 Instead, the funds for al-Qaeda's operations  
25 largely came from the business ventures of



This Transcript Contains Confidential Material

1 al-Qaeda members."

2 You go on to cite your ventures  
3 involving honey, Himalayan pink salt and  
4 Afghan carpets.

5 And then continuing on page 14,  
6 you say, "On top of this," referring to  
7 business revenues, "protection of the opium  
8 trade was one of the largest sources of  
9 funding for al-Qaeda operations."

10 And then you go on in the next  
11 paragraph to state that it was "through  
12 businesses like these that al-Qaeda was able  
13 to become a self-sustained entity and finance  
14 its operations. While undercover for MI6,  
15 based on my interactions with the al-Qaeda  
16 leadership handling finances and my  
17 participation in meetings where revenue was  
18 reported, I estimated that al-Qaeda  
19 enterprises, legitimate and illicit, were  
20 generating upwards of at least 20 to  
21 \$30 million per year before 9/11 to support  
22 operations."

23 Do you see all of that?

24 A. Yes, I do.

25 Q. Am I correct in understanding

This transcript contains confidential material

1 your statement there to indicate that  
2 diversion of funds from ostensible charities  
3 was not, in your opinion, an important source  
4 of revenue for al-Qaeda between 1998 and  
5 September 11, 2001?

6 A. I think you are conflating  
7 the -- what was taking place in Chechnya and  
8 Azerbaijan with what was taking place in  
9 Afghanistan.

10 So you are implying that  
11 because the Chechen rebels had some funding  
12 from, you know, the subject charity, that  
13 means necessarily that this would be also the  
14 case with al-Qaeda.

15 Al-Qaeda's finances are  
16 different model from the finances of the  
17 Chechen rebels.

18 Q. Mr. Dean, if I can ask you,  
19 please, I was not implying anything. I was  
20 moving on to a different subject matter.

21 I had asked you to clarify  
22 something about the mechanism involved in the  
23 support in the Al-Haramain office, and now  
24 I've asked you a straightforward question  
25 about your opinions.



This Transcript Contains Confidential Material

1                   And if we can, let's read it  
2     back, and I just want you to answer my  
3     question.

4           A.       Okay.

5                   MR. SEQUEIRA: Excuse me,  
6     Mr. Carter, but the implication wasn't  
7     clear, given that you had two  
8     questions back-to-back about those  
9     topics. So maybe you can repeat the  
10    question, and he'll try to answer it.

11                  MR. CARTER: I didn't have two  
12    questions back-to-back, Reuben. I  
13    finished the question, and then I  
14    directed him to a separate section of  
15    his report and then asked him a  
16    question about it.

17                  MR. SEQUEIRA: And you had two  
18    different topics and two questions.

19                  So, go ahead.

20                  THE WITNESS: Can you please  
21    repeat the question?

22                  (Court Reporter read back  
23    question.)

24                  THE WITNESS: Yes, it is not my  
25    assessment and my judgment that

1 al-Qaeda relied heavily on diverted  
2 funds or in-kind support from  
3 charities, you know, in general.

4 QUESTIONS BY MR. CARTER:

5 Q. Was there, in your  
6 understanding, any diversion of funds from  
7 charities in favor of al-Qaeda during this  
8 1998 to 2001 time period?

9 A. Well, in this instance, one  
10 cannot entirely rule out the possibility that  
11 in-kind -- in particular, in-kind assistance  
12 was diverted from, you know, charities to  
13 al-Qaeda in Afghanistan.

14 For instance, and I've been --  
15 I reported on this at that time to my  
16 superior officers, that food items from the  
17 World Food Programme as well as for US aid  
18 ended up in al-Qaeda's camps. I mean, go  
19 into a kitchen in al-Qaeda, and you will find  
20 a bag with "US aid" on it or the "World Food  
21 Programme" on it.

22 So diversion of fuel, diversion  
23 of medicine, it does happen because it is the  
24 inevitable leakage of supplies in a war zone  
25 where it is controlled by a group like the



This transcript contains Confidential Material

1     Taliban. And the Taliban were playing an  
2     important role in being the conduit between  
3     the global NGOs and supplying al-Qaeda with  
4     some of that material.

5           Q.     Were diversions of funds,  
6     meaning money, from branch offices of  
7     charities where there were sympathetic  
8     officials a significant source of funds to  
9     al-Qaeda in the 1998 to 2001 time period?

10          A.     Based on my judgment and my  
11     understanding at that time and historical  
12     research and my expertise, I can say that  
13     funds diverted from charities, subject  
14     charities, into al-Qaeda in that period of  
15     time most likely -- unlikely did not take  
16     place. It's unlikely that it took place.  
17     And the reason for stating that is the  
18     absence of markers.

19                 As I have been in other  
20     theaters where I have seen the effect of  
21     charities diverting funds into, you know,  
22     military effort, that leaves a marker. You  
23     can see the effect. It's a cause-and-effect  
24     issue.

25                 For example, in Bosnia or in

This Transcript Contains Confidential Material

1 Chechnya, there would be the trucks coming  
2 with the cash, with the equipment, with the  
3 food, with the chemicals, with the medicine.  
4 Visits from the charity officials carrying  
5 the cash, you know, to bring it into the  
6 camps.

7 That wasn't visible in  
8 Afghanistan. That was absent.

9 Q. You have indicated previously  
10 that at times you were tasked to go pick up  
11 cash by al-Qaeda leadership.

12 Correct?

13 A. Yes.

14 Q. Were other people at times  
15 tasked to go pick up cash?

16 A. Yes.

17 Q. When you were tasked to go pick  
18 up cash, did the al-Qaeda leadership tell  
19 everyone else in al-Qaeda what you were  
20 doing?

21 A. Well, the answer to this  
22 question is that the people who would be with  
23 me, driving me or coming with me because I'm  
24 not the only person involved in this, they  
25 would know, and the relevant commanders would



1 know, and the relevant people along the route  
2 would know.

3 Q. You would not be aware of every  
4 episode in which another member of al-Qaeda  
5 was tasked to go pick up cash, would you?

6 A. No.

7 MR. SEQUEIRA: Objection.

8 Vague.

9 You may answer.

10 THE WITNESS: No.

11 QUESTIONS BY MR. CARTER:

12 Q. Your report indicates that you  
13 reached an assessment that the for-profit  
14 businesses and criminal enterprises you  
15 describe were generating upwards of at least  
16 20 to 30 million per year before 9/11's  
17 support operations.

18 Do you recall that statement?

19 A. Yes.

20 Q. When did you come to this  
21 understanding that the business enterprises  
22 and criminal activities of al-Qaeda were  
23 generating upwards of at least 20 to 30  
24 million per year before 9/11?

25 A. By June 2001, I have already by

This transcript contains confidential material

1 then interacted with several senior leaders  
2 of al-Qaeda, either part of the Shura  
3 council, part of the finance committee, part  
4 of the religious committee, the training.

5 And since it was my mission,  
6 and it was also my training by MI6, to glean  
7 as much information as possible without  
8 raising -- arousing suspicion, during that  
9 time I have been able to get as many  
10 conversations as possible with such leaders  
11 that would indicate what are the most  
12 important streams of funding for the  
13 organization to ensure its sustainability,  
14 survivability and resilience, not to be  
15 reliant on just the outside world.

16 And that would be when -- you  
17 know, when by then and throughout like --  
18 and, I mean, all the 1998, 1999, 2000, 2001.  
19 By then, I reached the conclusion that this  
20 is the estimates of how much these different  
21 strands of business and revenue streams bring  
22 into the group.

23 Q. And so you had reached this  
24 estimate as of that June 2001 time period  
25 when Abu Hafs al-Masri summoned you to speak



This Transcript Contains Confidential Material

1 with him, and he gave you the job of going to  
2 tell people in London to leave and come to  
3 Afghanistan?

4 A. Yes.

5 Q. You're aware that the 20 to  
6 \$30 million estimate you offer in your  
7 report, the revenues from al-Qaeda's  
8 for-profit businesses and criminal  
9 activities, closely corresponds to US  
10 government intelligence estimates of the  
11 total budget for al-Qaeda during the time?

12 A. I am aware, yes.

13 Q. Is it therefore your opinion  
14 that virtually the entirety of al-Qaeda's  
15 budget was being satisfied by the for-profit  
16 businesses and involvement in the opium  
17 trade?

18 A. These are not the only sources  
19 of funding I was also referring to. I also  
20 spoke about -- to other sources of revenue.

21 One is the dedicated  
22 fundraising network that al-Qaeda possessed  
23 in places such as the GCC and Europe and  
24 North America. So I talk extensively about  
25 that.

This transcript contains Confidential Material

1                   Where I talk about the fact  
2     that this dedicated fundraising network is  
3     important, they use the hawala system in  
4     order to ensure that the money does get into  
5     Afghanistan, and this generated significant  
6     demand of funds.

7                   And then there is the stream  
8     which is not known to many practitioners in  
9     this field, you know, in the field of  
10    counterterrorism finance. It's called jijiz  
11    hirazi {phonetic}. Jijiz hirazi is the  
12    system through which recruits from around the  
13    world become the money couriers themselves,  
14    whether it is, you know, the carrying of  
15    high-value items such as gold bars, which is  
16    worth a lot, like, you know, even if they are  
17    very small in size, as well as the carrying  
18    of cash in large denomination.

19           Q.     Well, in your report, you do  
20    mention the hawala system as the mechanism  
21    through which al-Qaeda moved cash, but I  
22    don't see any indication in the section  
23    discussing the principal sources of  
24    al-Qaeda's revenue of these donors or  
25    financial facilitators.



This transcript contains confidential material

1                   Where is that in here?

2           A.       I'm sorry? Can you repeat this  
3 again?

4           Q.       There's a section of your  
5 report that we've been discussing on pages 13  
6 or 14 where you discuss the principal sources  
7 of al-Qaeda's funding before 9/11.

8                   Correct?

9           A.       Yes.

10          Q.       Do you say anything in there  
11 about donations from sympathizers or  
12 well-placed financial facilitators?

13          A.       Not in that section.

14          Q.       So that is a -- that was  
15 another source of revenue for al-Qaeda during  
16 this time period?

17          A.       I, again, refer you to page 13,  
18 where I said al-Qaeda primarily utilized the  
19 hawala system. The hawala system was  
20 introduced by Arabs. And I go into quite a  
21 few details.

22                   And then I mention this, that  
23 the person handing another person a bag with  
24 a large amount of cash. So I already stated  
25 this extensively.

This Transcript Contains Confidential Material

1           Q.       Well, you discussed how that  
2       mechanism was used to move money, but in that  
3       discussion, you don't articulate the money  
4       being moved was from sympathetic donors and  
5       financial facilitators.

6                   Do you?

7           A.       It is very clear here when I  
8       said that contrary to -- in page 12 -- I take  
9       you back to page 12 -- where I said here in  
10      Section B, page 12, where I said, "Why  
11      doesn't Kohlmann's opinion about Al Rajhi  
12      Bank's supposed role in financing al-Qaeda  
13      assume that al-Qaeda was running an operation  
14      heavily reliant on having close relationships  
15      with banks, Al Rajhi Bank in particular?"

16                   And that, the maintenance of  
17      accounts at Al Rajhi, was evidence of that  
18      close relationship. I know that this  
19      understanding is not correct.

20                   Then I go into saying,  
21      "Contrary to what is in Kohlmann's  
22      statements, al-Qaeda primarily operated  
23      through cash and in-person handoffs rather  
24      than bank transactions. The funds needed for  
25      the day-to-day operations of al-Qaeda" -- it



This Transcript Contains Confidential Material

1 means the day-to-day operations of  
2 al-Qaeda -- "were not funneled through  
3 deposits and checking accounts in banking  
4 institutions; instead, cash was the primary  
5 mode of financing, and this cash was not kept  
6 in banks."

7 And then I will go into the  
8 hawala system, and I go --

9 Q. I understand all that,  
10 Mr. Dean. But with respect, you're talking  
11 about how al-Qaeda moved the money that was  
12 in its hands, and the mechanism for doing  
13 that was the hawala.

14 Correct?

15 A. Yes. But you are talking  
16 about --

17 Q. Hair -- hair -- hair --

18 A. -- al-Qaeda has money that was,  
19 you know, in its hand. Not necessarily.

20 I said, like, you know,  
21 basically that this is the money that  
22 al-Qaeda moved and, you know, used as a  
23 hawala system. In other word, basically it's  
24 the money they receive and the money they  
25 send.

This transcript contains Confidential Material

1           Q.       So, Mr. Dean, according to the  
2       section where you talk about the actual  
3       source of revenues that sustained al-Qaeda's  
4       budget, which you identified as being  
5       businesses and criminal activities, is there  
6       any discussion of contributions from  
7       sympathetic donors and financial  
8       facilitators?

9           A.       Mr. Carter, as I said before,  
10      that this is an addition into what I was  
11      already talking about in terms of the cash  
12      coming into al-Qaeda. So I devoted about  
13      almost two pages explaining that cash is the  
14      mode, and the hawala system is the mode and  
15      the dedicated fundraising network.

16                   And then I go into the question  
17      of business and the question of criminal  
18      enterprises.

19                   So, you know, it is very clear  
20      when I was talking about that in a particular  
21      methodology, I was talking about a sourcing  
22      methodology as well as fundraising  
23      methodology.

24           Q.       And, Mr. Dean, what is your  
25      estimate of the portion of al-Qaeda's budget



This Transcript Contains Confidential Material

1 that was coming from donations from  
2 sympathetic parties and financial  
3 facilitators?

4 A. Roughly about a third.  
5 \$10 million.

6 Q. That would be 10 million on top  
7 of the 20 to 30 from the businesses?

8 A. On -- yes, that would be  
9 between -- because the average estimates per  
10 year was 37 million. So it's between 10 --  
11 10 million was the average, according to the  
12 conversations I had at that time. That would  
13 be the average between 1998 until 2001.

14 Q. And as I understand your  
15 testimony, you're saying that none of that  
16 \$10 million was channeled to al-Qaeda through  
17 charities.

18 Is that correct?

19 A. Mr. Carter, you know, based on  
20 my knowledge and expertise, the vast  
21 majority -- I can't speak for the entirety,  
22 but the vast majority of the funds came  
23 through careers and the hawala system and the  
24 hawala dolls, who where the kings of cash in  
25 Afghanistan. There were no ATMs. There were

This transcript contains confidential material

1 no bank branches. There were no mechanism  
2 except cash in Afghanistan.

3 Q. Where were the donors,  
4 Mr. Dean?

5 A. All over the world.

6 Q. How did the donors get their  
7 money to a location in physical proximity to  
8 Afghanistan?

9 A. The dedicated fundraising  
10 network works like recruitment. It's  
11 exactly. The recruitment of jihadists and  
12 the fundraising go hand-in-hand. This is  
13 what I have testified before a number of  
14 different organizations, as well as in my  
15 advisory role for the British  
16 counterterrorism police, for the Ministry of  
17 Justice in the UK, for the Belgian police in  
18 both Antwerp and Brussels, for the home  
19 office in the UK.

20 All of my advisory work focused  
21 on the fact that recruitment and fundraising  
22 worked hand-in-hand, because it is the  
23 recruits who would then carry the funds all  
24 the way to al-Qaeda branches.

25 And so since al-Qaeda have a



1 network of recruiters, you know, parallel to  
2 that there is a network of fundraisers. So  
3 that is how these fundraisers who raise the  
4 funds, not necessarily only through donors --  
5 it's not just donations. We -- you know,  
6 this is why I call it dedicated fundraising.

7 Sometimes it's through fraud,  
8 robberies, criminality, drug trafficking  
9 and -- you know, credit card fraud, the  
10 mortgage fraud, was one of the ways through a  
11 lot of the funding for, you know, jihadist  
12 organizations as well as al-Qaeda was taking  
13 place in Europe in 1998, 1999, 2000, 2001.  
14 It was well-documented.

15 So that's how it works. So  
16 this is how the cash is coming into the  
17 proximity of al-Qaeda.

18 Q. And, Mr. Dean, within this 20  
19 to \$30 million that you assess al-Qaeda was  
20 generating from for-profit businesses and  
21 criminal enterprises, did you have a sense of  
22 the particular attribution of that money to  
23 specific business operations and criminal  
24 enterprises?

25 A. Yes. I mean, in October

1 of 1999, there was an incident that is  
2 well-publicized, actually, in the  
3 Iranian/Pakistani -- Iranian/Afghan border.  
4 A caravan carrying almost \$100 million of  
5 heroin were about to be intercepted by the  
6 Iranian Revolutionary Guard Corps, the IRGC.

7 Al-Qaeda's role was in  
8 protecting the caravans, you know. The  
9 caravans are run -- you know, the caravans  
10 are owned and run and operated by the drug  
11 lords, but they are not exactly, you know,  
12 the fighters that they can in order to deal  
13 with professional armies such as the IRGC.  
14 So they hire al-Qaeda.

15 In that instance, however, the  
16 protection was needed because IRGC was  
17 intercepting the caravan.

18 A fight broke out. There were  
19 dozens of fatalities among the IRGC. It is a  
20 very well-publicized incident. Despite the  
21 fact that not many know about the  
22 circumstances of what really happened,  
23 everyone knows that people died from the IRGC  
24 in a fight. They attributed that to  
25 narcotics.



1 But what I understood is that a  
2 few weeks later I met the al-Qaeda person who  
3 was the commander of the protection force of  
4 that caravan, Abu Nasr al-Luchi {phonetic},  
5 and he informed me about the entire operation  
6 and how and why they done it.

7 So, you know, that netted  
8 al-Qaeda \$5 million. That's just one  
9 particular incident.

10 Q. And so if I'm understanding  
11 your testimony, Mr. Dean, you had, by June  
12 of 2001, effectively reached a determination  
13 as to the line-item sources of al-Qaeda's  
14 budget, essentially in its entirety.

15 Right?

16 A. I've reached an approximate  
17 determination.

18 Q. But you knew what that specific  
19 determination -- or figure was comprised of  
20 in terms of the particular business ventures,  
21 the particular criminal enterprises. You had  
22 reached assessments as to all of that.

23 Correct?

24 MR. SEQUEIRA: Object to form.

25 You may answer.

This Transcript Contains Confidential Material

1 THE WITNESS: Yes, I have  
2 reached that conclusion based on  
3 having a firsthand experience in that  
4 organization, living in it and serving  
5 it and spying on it for about two and  
6 a half years.

7 QUESTIONS BY MR. CARTER:

8 Q. And just in terms of the some  
9 of the details on this, on page 62 of your  
10 book, you indicate that Abu Khabab was kept  
11 financially afloat by a small group of  
12 fundraisers.

13 Correct?

14 A. Yes.

15 Q. And on page 72 of your book,  
16 you indicate "Under Taliban protection and  
17 with fresh funds trickling in from  
18 sympathizers in the Gulf, bin Laden began to  
19 build al-Qaeda up in Afghanistan, reviving  
20 and expanding his old network of safe houses  
21 and training camps."

22 Correct?

23 A. Yes.

24 Q. So during this period, you  
25 agree that bin Laden was relying



This Transcript Contains Confidential Material

1 significantly upon funds from sympathizers in  
2 the Gulf?

3 A. That was the period of 1997,  
4 the beginning of al-Qaeda. And, therefore,  
5 yes, it was the dedicated fundraising network  
6 that were operating in the Gulf at that time  
7 which enabled him to rebuild the camps in  
8 Afghanistan. That was the period of 1997.

9 Q. And I believe you say that  
10 after the Iraq war broke out, on page 311 to  
11 312 of your book, that millions were floating  
12 into al-Qaeda's coffers from private donors  
13 in the Gulf.

14 Is that correct?

15 A. Yes.

16 Q. There are a few additional  
17 isolated references in your book to revenue  
18 sources, but would you agree with me your  
19 book doesn't include any overarching  
20 statement that al-Qaeda was not significantly  
21 reliant upon diversions of funds from  
22 charities during the period '98 to 2001?

23 MR. SEQUEIRA: Objection.

24 Vague.

25 You may try to answer.

1 THE WITNESS: It's like trying  
2 to prove a negative here.

3 Well, again, my book was not  
4 intended, Mr. Carter, as an  
5 intelligence report and to be  
6 specifically something that is  
7 submitted to a court.

8 But the report I have here is  
9 the one that relies on the information  
10 as I have -- information, the  
11 research, the proper investigations  
12 that I have conducted over the years.  
13 And, therefore, I would direct you  
14 back to the report where I stated as a  
15 fact that al-Qaeda relied on multiple  
16 streams of funding, whether it is  
17 dedicated fundraising, whether it was  
18 criminal enterprises, whether it is a  
19 for-profit business.

20 QUESTIONS BY MR. CARTER:

21 Q. Is there -- again, there's no  
22 discussion in your book of any participation  
23 during that period in meetings of al-Qaeda's  
24 financial committee.

25 Correct?



1           A.       Al-Qaeda at the time was a  
2       scattered organization and fragmented, and  
3       the centralization has gone. Therefore,  
4       al-Qaeda became different branches in Yemen  
5       and Iraq and cells in Arabia.

6           Q.       I'm sorry, Mr. Dean, I'm  
7       talking about the period up to June 2001 when  
8       you reached your assessment as to al-Qaeda's  
9       sources of fundings.

10                   There's not an indication in  
11       your book that you participated in any  
12       meetings of al-Qaeda's finance committee as  
13       of that date, is there?

14           A.       My book wasn't a diary of my  
15       daily activities, Mr. Carter. My book is  
16       just telling, you know, the story in a way  
17       that would be, you know, appealing to a  
18       reader.

19                   However, as I said to you, my  
20       recollections from that period, as well as my  
21       understanding of al-Qaeda's operations,  
22       finances and, you know, business model, I  
23       testified to it in this report, and I wrote  
24       it as clearly as it was stipulated in this  
25       report.

This Transcript Contains Confidential Material

1           Q.       Mr. Dean, al-Qaeda sources of  
2       funding in the pre-9/11 period were the  
3       subject of intensive interest after 9/11,  
4       were they not?

5           A.       Can you repeat this question  
6       again?

7           Q.       Al-Qaeda's sources of funding  
8       leading up to the September 11th attacks were  
9       a subject of intensive interest, including on  
10      the part of the United States government,  
11      after 9/11.

12                   Correct?

13          A.       The finances of al-Qaeda  
14      leading up to 9/11 indeed became a subject of  
15      intensive research, investigations. And the  
16      reality is -- and this is the accepted wisdom  
17      within the intelligence community -- is that  
18      only the tip of the iceberg at that time was  
19      more or less realized, and the reason is  
20      because of the cash nature of the  
21      transactions.

22                   The reality is that cash was  
23      the currency of al-Qaeda, and cash does not  
24      leave traces. The hawala system does not  
25      leave traces. And that resulted in



This transcript contains Confidential Material

1 considerable amount of frustration. I mean,  
2 I would be the first one to raise my hand and  
3 say that, like, you know, I mean, the  
4 considerable amount of frustration within the  
5 intelligence community about how difficult it  
6 is to ascertain the transactions, how much  
7 money flowed from one place to another.

8 And the reliance on cash  
9 continued to -- you know, to elude and to  
10 evade the authorities' detection even in the  
11 information age.

12 You know, look at ISIS in 2015  
13 and '16 and '17. The US resorted in the end  
14 to using JDAMs to bomb ISIS cash and cash  
15 storage. That's the only way -- it wasn't  
16 about stopping banks. It wasn't about  
17 stop -- you know, having higher levels of  
18 compliance within banks.

19 In the end, it came to the  
20 fact, as Abdul Rasheed al-Filistini, my  
21 former business partner within al-Qaeda who  
22 was the subject of many of my espionage  
23 activities, said, by simplicity we defeat  
24 them. That's what he said. He is talking  
25 about how simple al-Qaeda's finances were.

This Transcript Contains Confidential Material

1                   This is why in the end, even  
2     the US came to the conclusion that simple  
3     means needs simple methods, and that's why  
4     they used the Air Force to incinerate ISIS  
5     cash.

6           Q.       So, Mr. Dean, the simple answer  
7     to my question is that there was very  
8     significant interest after 9/11, including on  
9     the part of US intelligence, in the sources  
10    of al-Qaeda's funding.

11                   Correct?

12          A.       I'm aware there was interest,  
13    yes.

14          Q.       And at that time, you were  
15    working on behalf of British intelligence.

16                   Correct?

17          A.       Yes.

18          Q.       And the United States and  
19    Britain have a very strong  
20    intelligence-sharing program.

21                   Do they not?

22          A.       Yes. For sure.

23          Q.       And the United States during  
24    this period was dedicating very significant  
25    intelligence and other resources to try and



This Transcript Contains Confidential Material

1 build a model of al-Qaeda's sources of  
2 funding.

3 Isn't that true?

4 A. I wasn't aware they were trying  
5 to build a model. Were they trying to gather  
6 intelligence, yes. Specifically building a  
7 model, I have no idea.

8 Q. Well, they were trying to  
9 determine as best they could the sources of  
10 al-Qaeda's funding so they could determine  
11 what could be done to interdict them.

12 Correct?

13 A. I was aware they were  
14 conducting investigations, yes.

15 Q. As I understand your testimony,  
16 as of June 2001, you were in possession of  
17 what amounted to a Rosetta stone of the  
18 sources of al-Qaeda's funding, the particular  
19 businesses that were generating revenues, the  
20 particular criminal activities that were  
21 generating revenues, and the portions of the  
22 budget that were being derived from its  
23 various sources.

24 Correct?

25 MR. SEQUEIRA: Objection to

This Transcript Contains Confidential Material

1 form.

2 You may answer.

3 THE WITNESS: That's your  
4 characterization of it, not mine.

5 QUESTIONS BY MR. CARTER:

6 Q. Well, I mean, I think you told  
7 me that you had reconstructed, based on the  
8 conversations you say you had, that al-Qaeda  
9 was receiving 20 to \$30 million from  
10 for-profit businesses and involvement in  
11 criminal activity.

12 Right?

13 A. You would remember I said I  
14 reached approximate determination. I did not  
15 build a model, and I did not, you know, say  
16 with certain fact that this is 100 percent  
17 how it looks like. This is the accurate  
18 picture.

19 I said I built a -- or I  
20 reached approximate determination.

21 Q. And that approximate  
22 determination included, as you said earlier,  
23 information about the particular businesses  
24 that were generating revenues.

25 Right?



This Transcript Contains Confidential Material

1 A. Yes.

2 Q. And the particular criminal  
3 enterprises that were generating revenues?

4 A. Yes.

5 Q. And in order to reach some  
6 approximation of the total revenues from  
7 those undertakings, you needed to have some  
8 understanding of what was being derived from  
9 those different methods.

10 Right?

11 A. Yes.

12 Q. And so on the basis of that,  
13 you did have, you claim, essentially a  
14 picture of the particular businesses and the  
15 particular criminal enterprises that were  
16 yielding 20 to \$30 million in revenue to  
17 al-Qaeda.

18 Correct?

19 A. Again, I said to you, as I  
20 stated before, that what I had was  
21 approximate determination of the size of  
22 the -- al-Qaeda's financial operations.  
23 That's what I stated.

24 Q. Well, you also told me that you  
25 did know the particular businesses that were

~~This Transcript Contains Confidential Material~~

1 generating the revenues.

2 Right?

3 A. I didn't say I knew the  
4 particular businesses. I said that revenue  
5 streams, in other words, you know, whether it  
6 is the criminal enterprises such as drug  
7 protection or narcotics protection, as well  
8 as the businesses that for-profit.

9 Q. Mr. Dean, did you share all of  
10 that information at that time, immediately  
11 after the September 11th attacks, with  
12 British intelligence?

13 A. I kept sharing all information  
14 that I have gathered on al-Qaeda throughout  
15 the '80s immediately, always, with the  
16 British intelligence at that time.

17 Q. Do you know whether or not the  
18 British intelligence shared that information  
19 with their counterparts in US intelligence?

20 A. It's not in my purview to say  
21 anything on behalf of the British  
22 intelligence. They can talk for themselves.

23 Q. Well, was there considerable  
24 cooperation, to your knowledge, between  
25 British intelligence and US intelligence in



This Transcript Contains Confidential Material

1 the aftermath of the September 11th attacks?

2 A. There is always considerable  
3 cooperation between the two before and after  
4 9/11 attacks.

5 But I can't speak for what  
6 intelligence was shared and was not shared.

7 Q. Given this information that you  
8 say you shared with British intelligence, can  
9 you point me to any historical document,  
10 government report, that reflects information  
11 consistent with your estimate that al-Qaeda's  
12 principal sources of revenue during this  
13 period were for-profit businesses and  
14 criminal enterprises to the tune of 20 to  
15 \$30 million?

16 A. I think it is the C -- I think  
17 I've read the CIA report of November of 1998.  
18 That report did indeed mention the presence  
19 of a lucrative drug trade as far as the CIA  
20 was concerned at that time.

21 Q. Mr. Dean, that's different from  
22 there being a historical document that adopts  
23 your assessment that the primary source of  
24 al-Qaeda's funding during this period to the  
25 tune of 20 to \$30 million was for-profit

This Transcript Contains Confidential Material

1 businesses and criminal enterprises.

2 Do you know of any document  
3 that reflects a similar understanding?

4 A. Mr. Carter, I refer to the CIA  
5 report that, you know, your expert cited. It  
6 is the CIA report of November of 1998. It  
7 does contain several passages about the drug  
8 trade being a lucrative trade for al-Qaeda.

9 Q. The anecdotal information about  
10 the drug trade being lucrative is very  
11 different from the overarching assessment  
12 that you make in your report that al-Qaeda  
13 was deriving 20 to \$30 million a year from  
14 for-profit businesses and participation in  
15 criminal activities.

16 Have you seen information  
17 consistent with that estimate presented in  
18 any historical document?

19 A. I --

20 MR. SEQUEIRA: Objection.

21 I think he's answered that  
22 question, Mr. Carter.

23 QUESTIONS BY MR. CARTER:

24 Q. Okay. Let me ask you. Are you  
25 familiar with the 9/11 Commission staff



This Transcript Contains Confidential Material

1 monograph on terrorist financing?

2 A. Yes, I'm familiar with it.

3 Q. And if we can pull that up.

4 (Lormel Exhibit 12 marked for  
5 identification.)

6 QUESTIONS BY MR. CARTER:

7 Q. It's number 11. And if we go  
8 to page 4.

9 Mr. Dean, the 9/11 Commission  
10 staff that was involved in the assessment of  
11 al-Qaeda's finances reports here that  
12 "al-Qaeda and Osama bin Laden obtained money  
13 from a variety of sources. Contrary to  
14 common belief, bin Laden did not have access  
15 to any significant amounts of personal  
16 wealth, particularly after his move from  
17 Sudan to Afghanistan, and did not personally  
18 fund al-Qaeda either through an inheritance  
19 or business he was said to have owned in  
20 Sudan. Rather, al-Qaeda was funded, to the  
21 tune of approximately \$30 million per year,  
22 by diversions of money from Islamic charities  
23 and the use of well-placed financial  
24 facilitators who gathered money from both  
25 witting and unwitting donors, primarily in

This Transcript Contains Confidential Material

1 the Gulf region. No persuasive evidence  
2 exists that al-Qaeda relied on the drug trade  
3 as an important source of revenue, had any  
4 substantial involvement with ^ conflict  
5 diamonds, or is financially sponsored by any  
6 foreign government."

7 Do you see that?

8 A. Yeah, I do see that.

9 Q. Do you disagree with that  
10 assessment?

11 A. Yes, I do.

12 Q. Are you aware that the  
13 assessment by the 9/11 Commission staff we  
14 just read has been endorsed by many experts  
15 in the field?

16 A. With all due respect,  
17 Mr. Carter, I do respect the assessment that  
18 they have reached, but this is all based on  
19 outdated intelligence and outdated knowledge.

20 At the end of the day, we have  
21 to look into the source of the intelligence  
22 that they relied on.

23 The reality is that it might  
24 have been endorsed by experts in the field,  
25 but not many of these experts were really in



This transcript contains Confidential Material

1 the field, as in on the ground, looking at  
2 the realities.

3 The al-Qaeda did indeed use the  
4 drug trade, as the CIA report that your  
5 experts cited in November of 2000 -- 1998,  
6 which says that -- in two passages,  
7 basically, that the drug trade was a  
8 lucrative trade.

9 And later year, subsequent  
10 years, like, I mean, by 2004, the drug trade  
11 was -- just around the same time that the --  
12 the 9/11 Commission report was published,  
13 around that time we started to see a  
14 significant revival of the drug trade as  
15 being an important source of fund for  
16 al-Qaeda, from Afghanistan and Pakistan to  
17 the north African Sahel region as well as the  
18 African horn and in Yemen.

19 Narcotics always played an  
20 important role in the funding of these  
21 organizations, whether it is post or  
22 pre-9/11 --

23 Q. Okay. Mr. Dean, with regard to  
24 what you just said, post, in terms of what  
25 happened in 2004, that doesn't necessarily

1 tell us what was happening in the period  
2 before 9/11.

3 Does it?

4 A. Oh, it does. It does.

5 (Lormel Exhibit 17 previously  
6 marked and referenced.)

7 QUESTIONS BY MR. CARTER:

8 Q. Are you aware that Al Rajhi  
9 Bank's other expert in this matter,  
10 Mr. Lormel, who was a senior terrorism  
11 financing official for the FBI, testified  
12 before the United States Congress -- and this  
13 is at Tab 13, and particularly page 48 of the  
14 PDF.

15 MR. SEQUEIRA: Excuse me,  
16 Mr. Carter.

17 Were you done answering that  
18 question?

19 THE WITNESS: Yes.

20 MR. SEQUEIRA: Okay. Just  
21 wanted to make sure.

22 We're not seeing a document yet  
23 on our end.

24 MR. CARTER: Okay.

25 MR. SEQUEIRA: We got it.



This Transcript Contains Confidential Material

1           Uploading it now.

2       QUESTIONS BY MR. CARTER:

3           Q.       Okay. At the bottom there,  
4       you'll see an answer there from Mr. Lormel,  
5       and I'm going to read it.

6                       "A trend that has continued  
7       since 9/11 and has grown significantly since  
8       then has been the movement of criminal  
9       activity as a fundraising mechanism for  
10      terrorists. In the aftermath of 9/11, the  
11      United States and our international partners  
12      made a concerted effort to cut off the flow  
13      of legitimate money from wealthy donors and  
14      charities. The more these efforts succeeded,  
15      the more terrorists were driven to criminal  
16      activity. This continues today."

17                    Do you know Mr. Lormel?

18           A.       No. I'm not aware of him.

19           Q.       Do you disagree with the  
20      assessment reflected in his testimony that  
21      there was a significant shift away from  
22      funding through donations and charities to  
23      criminal activities after 9/11?

24           A.       First of all, I don't see  
25      anything in that testimony here that tells me

This transcript contains confidential material

1     that he is ruling out completely that there  
2     was anything pre-9/11 stopping al-Qaeda from  
3     actually making money through criminal  
4     enterprises.

5                     You know, the testimony here  
6     doesn't rule out anything pre-9/11. It talks  
7     about a growing trend post-9/11. It doesn't  
8     say that pre-9/11 that there was nothing.

9                     And as I said -- and I  
10    stated -- and I stated this many times  
11    before. The criminal enterprises of al-Qaeda  
12    was a part, and that continued after. And  
13    continued to grow after, in fact.

14            Q.     Mr. Dean, the rub here, if I  
15    may, is your testimony that charities were  
16    not a significant source of revenue for  
17    al-Qaeda in the pre-9/11 period.

18                     And I believe you say that the  
19    particular assessments of the 9/11 Commission  
20    staff on terrorist financing that they  
21    were is something you disagreed with.

22                     Correct?

23                     MR. SEQUEIRA: Objection to  
24                     form.

25                     You may answer.



1 THE WITNESS: Once again, it  
2 says, "cut off the flow of legitimate  
3 money from wealthy donors and  
4 charities," but it does not say that  
5 charities constituted a significant  
6 part of the funding of al-Qaeda.

7 And as I have stated before,  
8 that some of the funding -- and in  
9 fact, I would say like, you know, I  
10 mean, the in-kind support that  
11 al-Qaeda received were from even  
12 well-rep -- well-reputed and  
13 well-regarded international  
14 organizations such as the World Food  
15 Programme and the US aid.

16 QUESTIONS BY MR. CARTER:

17 Q. Mr. Dean, we previously read,  
18 and we'll go back to it, the section on  
19 high-level assessment by the 9/11 Commission  
20 staff on terrorist financing concerning how  
21 al-Qaeda funded its operations before 9/11.  
22 We'll pull that back up. It's on page 4 of  
23 the document at Tab 11.

24 That's the report, Gina. I  
25 think -- yeah, there you go.

This Transcript Contains Confidential Material

1                   And I believe that you already  
2       testified that you disagree with the  
3       assessment reflected in the paragraph under  
4       the title, "One of the Pillars of al-Qaeda:  
5       Fundraising."

6                   Correct?

7           A.       I already stated that al-Qaeda  
8       has a significant fund -- dedicated  
9       fundraising capability. And I was talking  
10      about it in my report, and I refer you back  
11      to pages 12 and 13 where I state that.

12          Q.       Mr. Dean, we had a direct  
13      exchange about this paragraph. I asked you  
14      directly if you disagreed with it. You told  
15      me that you did disagree with it.

16                  Is that correct?

17          A.       Again, can I ask -- like, I  
18      mean, this is from the staff monograph.

19                  Yeah.

20          Q.       It is.

21          A.       Okay. I repeat again. It says  
22      here "fundraising." And, you know, "al-Qaeda  
23      was funded to the tune of approximately  
24      30 million per year by diversion of money  
25      from Islamic charities and the use of



This transcript contains confidential material

1 well-placed financial facilitators who  
2 gathered money from both witting and  
3 unwitting donors, primarily in the Gulf  
4 region."

5 I don't entirely -- I said to  
6 you, I don't entirely disagree with it.

7 What I disagree with is how you  
8 place a significant -- you know, a  
9 significant emphasis on the charities without  
10 understanding that actually there is also,  
11 you know, dedicated fundraising.

12 And while you're at it,  
13 Mr. Carter, you know, I disagreed primarily  
14 with the question of -- that there is no  
15 evidence that al-Qaeda is involved in the  
16 drug trade. I was merely commenting on the  
17 drug trade not being involved -- al-Qaeda not  
18 being involved in it.

19 However, when it comes to the  
20 question of al-Qaeda relying on dedicated  
21 fundraising, I agree with that.

22 The question of, did the  
23 intelligence pertaining to the question of  
24 fundraising through charity that was solid at  
25 that time, with incontrovertible evidence at

1     that time, with solid intelligence at that  
2     time.

3                     And the question is, until now,  
4     there haven't been any significant  
5     intelligence coming forward to say that is  
6     the case.

7             Q.     So I'm just trying to  
8     understand.

9                     Is your opinion that it is  
10    absolutely incorrect that charities were a  
11    significant source of funds for al-Qaeda, or  
12    is it your opinion that you don't believe it  
13    has been proven?

14                    MR. SEQUEIRA:  Objection.

15                    Vague, and vague as to charities.

16                    THE WITNESS:  Can you specify  
17                    which charities you're talking about?

18    QUESTIONS BY MR. CARTER:

19             Q.     The report talks about  
20    diversions of money from Islamic charities.

21                    Do you disagree that diversions  
22    of money from Islamic charities were an  
23    important source of revenue to al-Qaeda  
24    before 9/11?

25                    MR. SEQUEIRA:  Same objection.



This Transcript Contains Confidential Material

1                   THE WITNESS: As I have stated,  
2                   as I have stated before, that there  
3                   are certain markers that would become  
4                   visible, truly visible. If the  
5                   funding came from charities, or a  
6                   significant funding came from the  
7                   charities, or even a minority but  
8                   nonetheless significant minority of  
9                   the funding came from the charities,  
10                  this would leave certain markers  
11                  there, including significant  
12                  communications, visitations, presence  
13                  of the charity officials around the  
14                  camps, the headquarters and the safe  
15                  houses.

16               QUESTIONS BY MR. CARTER:

17               Q.       So, Mr. Dean, given your  
18               apparent disagreement with this statement in  
19               one of the most prominent government reports  
20               on sources of al-Qaeda's financing, that  
21               charities were a source, have you written  
22               anything anywhere, other than in your expert  
23               report for Al Rajhi Bank here, criticizing  
24               this conclusion?

25               MR. SEQUEIRA: Objection to

1 form. Misstates the witness'  
2 testimony, and vague.

3 You may answer, if you can.

4 THE WITNESS: Mr. Carter, I  
5 have written significant amount of  
6 reports for my clients and for the  
7 banking institutions, as well as given  
8 multitude of lectures and seminars,  
9 educating the banking sector on this  
10 very particular question.

11 Because at the end of the day,  
12 the -- we are following the evidence  
13 here, and the evidence is not pointing  
14 to al-Qaeda receiving significant  
15 funding from the charities, a  
16 game-changing funding from the  
17 charities. And with the absence of  
18 evidence, you know, we can't just go  
19 around and trying to prove negatives.

20 And this is why, based on my  
21 analysis, my expertise, my knowledge,  
22 my training and my research throughout  
23 the years, the fact of the matter is  
24 that many of the charities that were  
25 targeted in the early days of



This Transcript Contains Confidential Material

1 post-9/11 -- and let me just clearly  
2 say, like, you know, I condemn what  
3 happened on 9/11. I was extremely  
4 shocked by everything that happened  
5 that day, and I dedicated my life over  
6 six years after that in order to  
7 defeat the very evil that perpetrated  
8 that atrocity.

9 But defeating that evil, we  
10 need to follow the facts and we need  
11 to follow the money.

12 QUESTIONS BY MR. CARTER:

13 Q. Mr. Dean, you're aware that the  
14 US intelligence has had access --

15 MR. SEQUEIRA: Mr. Carter,  
16 please let him finish his answer.

17 THE WITNESS: Yeah.

18 By following the money.

19 So if the money is leading back  
20 to the charities, I will be the first  
21 one to raise my hand and to say, they  
22 were as guilty as charged.

23 But the reality is, I only  
24 follow the fact, and I report the  
25 facts. And the facts I've seen with

1 my own eyes and the evidence lead me  
2 to, as well as the research and the  
3 understanding of the nuance, the  
4 culture, knowledge, history,  
5 geography, the geopolitics of that  
6 time, point me to the fact that  
7 al-Qaeda relied heavily on the streams  
8 of funding that I have highlighted in  
9 my report.

10 QUESTIONS BY MR. CARTER:

11 Q. Mr. Dean, you're aware, and I  
12 think you just mentioned, that actions were  
13 taken against a number of Islamic charities  
14 after 9/11 to sanction them based on  
15 assessments that they were involved in  
16 funding al-Qaeda.

17 Correct?

18 A. I'm aware of that, yes.

19 Q. And you were aware of this  
20 assessment by the 9/11 Commission staff. The  
21 diversions of money from Islamic charities  
22 were a significant source of funding for  
23 al-Qaeda.

24 Right?

25 A. I disagree. As I said to you,



This Transcript Contains Confidential Material

1 I disagree with this particular statement.

2 Q. And so I'm asking you, in the  
3 many years you've been working since the  
4 issuance of this report and all of the  
5 designations that were implemented against  
6 charities, have you publicly written anywhere  
7 an article where you said, the 9/11  
8 Commission staff got it all wrong, and these  
9 designations were all messed up?

10 MR. SEQUEIRA: Objection to  
11 form. Vague.

12 You may answer.

13 THE WITNESS: Yeah.

14 Mr. Carter, the reason why I doubt  
15 articles is because I work for a  
16 private institution at that time.  
17 It's called HSBC bank. I work for a  
18 bank. I don't work for a think tank  
19 or a financial -- or a financial  
20 regulator or a -- you know, I wasn't  
21 working for the Financial Times, for  
22 example.

23 So my mission and my duty was  
24 to the bank that was employing me at  
25 that time. And the reports I've

This Transcript Contains Confidential Material

1           written at that time was more or less  
2           conclusive of the fact that many of  
3           these designations were rescinded.  
4           Many of the people who were having  
5           their assets frozen post-9/11 ended up  
6           actually having their assets, you  
7           know -- lifting the freeze order on  
8           them.

9                     Many people were exonerated.  
10           Many people were acquitted. Many  
11           institutions ended up lifted from the  
12           sanctions list of the UN or by the US  
13           or by other governments.

14                    So, really, we have to be  
15           careful about using the 9/11  
16           Commission report which was written in  
17           2004, 20 years ago. Many events has  
18           emerged since then. Our understanding  
19           of terrorism finance has evolved  
20           considerably since then. It's not set  
21           in stone.

22   QUESTIONS BY MR. CARTER:

23           Q.       Are you aware that US  
24           intelligence, preceding the publication of  
25           the 9/11 Commission staff monograph, had



This Transcript Contains Confidential Material

1 access to al-Qaeda detainees who were being  
2 interviewed?

3 A. I'm aware of that, yes.

4 Q. And would you expect that the  
5 United States would have asked those  
6 detainees about sources of al-Qaeda's  
7 funding?

8 A. I'm aware of that, yes.

9 Q. And related to your point about  
10 designations being lifted and people  
11 exonerated, are you referring to any of the  
12 charities at issue in this case?

13 A. No, I'm not referring to any  
14 particular charity in this case.

15 (Dean Exhibit 7 marked for  
16 identification.)

17 QUESTIONS BY MR. CARTER:

18 Q. And if we can, let's just pull  
19 up and mark the document at page 56.

20 A. Which part do you want me to  
21 read?

22 MR. CARTER: I'm sorry, we  
23 weren't on page 56, Gina. I was on  
24 the document at Tab 56, which is going  
25 to be a new article -- or a new

This Transcript Contains Confidential Material

1 exhibit. My apologies.

2 QUESTIONS BY MR. CARTER:

3 Q. Mr. Dean, this is a white paper  
4 that was issued by the government of The  
5 Kingdom of Saudi Arabia concerning its  
6 counterterrorism efforts.

7 Are you familiar with this  
8 document?

9 A. No, I'm not.

10 Q. And I think if we turn maybe to  
11 the next page, we'll be able to see that it  
12 issued in 2016.

13 Sorry, it might be a couple  
14 pages later.

15 Sorry. If you go -- if you  
16 look on this page, page 2, there's a  
17 reference to an interview of Dick Cheney on  
18 the left in January 2015, so it's after that  
19 date.

20 Okay?

21 A. So which part do you want me to  
22 read?

23 Q. On page 86, right there.

24 And in the second paragraph,  
25 the Saudi government notes that as part of



1 its counterterrorism efforts, it shut down  
2 the charity front Al-Haramain Islamic  
3 Foundation and describes it as notoriously  
4 tied to Osama bin Laden, the Taliban and  
5 al-Qaeda's terrorist -- terror campaigns.

6 Mr. Dean, were you aware that  
7 the government of Saudi Arabia had reached  
8 that assessment concerning Al-Haramain's  
9 linkages to bin Laden, the Taliban and  
10 al-Qaeda?

11 A. Just give me time to read,  
12 please.

13 Q. Sure.

14 A. Okay. Can you repeat the  
15 question now, please?

16 Q. Were you aware that the Saudi  
17 government had reached this determination,  
18 that the charity front, Al-Haramain Islamic  
19 Foundation, was notoriously tied to Osama bin  
20 Laden, the Taliban and al-Qaeda's terror  
21 campaigns?

22 A. I'm not aware of which branch  
23 of the Saudi government authored this paper.

24 Q. Does that matter?

25 A. Well, it does.

1                   So could you please tell me  
2   which branch of the Saudi government that  
3   authored this paper?

4           Q.       I believe it was published  
5   under the auspices of the embassy in the  
6   United States for purposes of reporting  
7   generally on Saudi Arabia's activities in the  
8   counterterrorism front.

9           A.       So I can't comment on what the  
10   embassy of the -- if it is published by the  
11   US embassy -- sorry, by the Saudi embassy in  
12   the United States, like, you know, it's not  
13   my place to comment on, you know, what  
14   conclusions, you know, they came to and how  
15   they came to those conclusions and who  
16   wrote -- who authored this -- you know, this  
17   particular piece, and whether they were  
18   authorized, you know, to basically reach the  
19   conclusion.

20          Q.       Are you aware of any  
21   information from any government that's issued  
22   exonerating Al-Haramain?

23          A.       We are not here -- I am not  
24   here in particular to -- to exonerate  
25   Al-Haramain. I'm here basically to talk



This transcript contains Confidential Material

1 about the funding of al-Qaeda and how it was  
2 working in Afghanistan.

3 It is not necessarily that I am  
4 here to talk about a charity. I am here to  
5 talk about the funding of al-Qaeda.

6 Q. Are you not in a position to  
7 talk about Al-Haramain in respect to the  
8 funding of al-Qaeda?

9 A. Once again, if we conflate --  
10 and unfortunately, this is the -- some of the  
11 mistakes that were taking place post-9/11 is  
12 that conflation between the theaters of jihad  
13 in Bosnia and Chechnya and what was taking  
14 place pre-9/11 with al-Qaeda in Afghanistan.

15 If the -- you know, the problem  
16 is that since -- some body of opinion within  
17 the CIA decided that there is a link between  
18 Chechnya on one hand and Bosnia on the other  
19 hand with al-Qaeda and that the theaters of  
20 jihad there represented somehow Al-Qaeda's  
21 effort or ideology or aims and goals.  
22 Therefore, the funding that was going into  
23 there would be construed, you know,  
24 illogically, as a fund for al-Qaeda, when, in  
25 fact, it is not the case.

This Transcript Contains Confidential Material

1                   The fact that Chechnya and  
2   Bosnia had nothing to do with al-Qaeda, and  
3   the fact that al-Qaeda had nothing to do with  
4   either, and the fact that Al-Haramain, as an  
5   organization, did indeed fund the armed  
6   activities in both theaters, that does not  
7   mean necessarily that they have funded  
8   al-Qaeda.

9           Q.     Well, there's no conflation of  
10   those issues in this statement from the Saudi  
11   government where it represents that  
12   Al-Haramain was notoriously tied to Osama bin  
13   Laden, the Taliban and the al-Qaeda's terror  
14   campaigns.

15                   You agree that that has nothing  
16   to do with Chechnya.

17                   Right?

18           A.     Once again, I have no idea --  
19   I'm unaware of who authored this document,  
20   and based on what government assessment the  
21   Saudi's released that they did dependent  
22   on -- sorry. And I'm not aware of what -- or  
23   how they reached their conclusion in order to  
24   reach, you know -- derive what they have  
25   wrote here.



This Transcript Contains Confidential Material

1           Q.       Mr. Dean, on page 17 of your  
2       report, you indicate that Sulaiman al Rajhi  
3       had a reputation within al-Qaeda as a  
4       quietist.

5                    Do you recall that aspect of  
6       your report?

7           A.       Yes, I do.

8           Q.       Did you ever personally meet  
9       Sulaiman al Rajhi?

10          A.       No.

11          Q.       You've never spoken to the man  
12       on the phone?

13          A.       No.

14          Q.       In terms of the reputation that  
15       you're referring to on page 17, what's the  
16       source of that?

17          A.       It's the -- public reputation  
18       is based on the foundation of an aggregate  
19       opinion that is formed within society.

20                    So to give analogy here, if you  
21       were to be asked about a certain prominent  
22       member of the American society, the first  
23       thing that comes to your mind is their  
24       reputation, how they are portrayed, whether  
25       it is in the public discourse, in the media,

~~This Transcript Contains Confidential Material~~

1     whether it is, you know, their charitable  
2     giving, whether it is their projects, whether  
3     it is their patronage.

4                     So it's the same thing here.

5     It is based on his -- on the common knowledge  
6     of his public reputation that I reached this  
7     conclusion, as well as the fact that this is  
8     the conclusion that most well-informed people  
9     in the country and his contemporaries would  
10    actually support this conclusion.

11            Q.     So you're testifying as an  
12    expert on Sulaiman al Rajhi's reputation  
13    within the public arena?

14            A.     No. I'm testifying as an  
15    expert on the reputation -- the question of  
16    reputations within the prominent figures of  
17    Saudi society.

18            Q.     Who in particular did you talk  
19    to about Sulaiman al Rajhi?

20            A.     You are talking to me like, you  
21    know, about how I've reached this conclusion.  
22    And I told you, it is all about the public  
23    perceptions.

24                     Sulaiman Al Rajhi was like the  
25    Warren Buffett of Saudi Arabia. He's



This Transcript Contains Confidential Material

1 well-known and, therefore, there are  
2 countless, you know, public -- publications  
3 and articles about him. And the news  
4 articles about him that explains, you know,  
5 his ideas, his endeavors, his projects, his  
6 charitable giving and his business  
7 methodology, as well as his well-known and  
8 well-reputable generosity.

9 Q. Now, you said a bunch of  
10 things.

11 When were you reading all of  
12 these articles about Sulaiman al Rajhi?

13 A. These articles are all  
14 available online. You know, they are, you  
15 know, in Arabic language, and you will find  
16 them all over the place.

17 Q. When were you reading them?

18 A. Since childhood.

19 Q. And you've cited in your report  
20 to materials from 2015 and 2012 about his  
21 generosity in footnote 33.

22 Right?

23 A. Yes.

24 Q. And in terms of contemporaneous  
25 media reporting about Sulaiman al Rajhi, am I

This transcript contains confidential material

1 correct that you weren't in The Kingdom at  
2 all between 1994 and September 11, 2001?

3 A. Between 1994 and September 11,  
4 no, I wasn't.

5 Q. The Internet was not especially  
6 active during most of that period.

7 Was it?

8 A. No.

9 Q. Did you have any specific  
10 sources of information during that period  
11 concerning Sulaiman al Rajhi's supposed  
12 status as a quietist?

13 A. First of all, we had always  
14 within the confines of al-Qaeda when I was  
15 working there undercover, they had always the  
16 tendency to grade the prominent member of the  
17 Saudi establishment.

18 And so for them, they would  
19 grade the mufti and attack him. They would  
20 grade, you know, certain ministers and attack  
21 them. They would grade certain flamboyant,  
22 you know, businesspeople and attack them.

23 And when it comes to Sulaiman  
24 al Rajhi, well, he is a quietist, and at the  
25 same time, he is part of the establishment.



~~This transcript contains Confidential Material~~

1 He is part of the establishment. That is how  
2 they classified him.

3 Q. Who were the "they" you're  
4 referring to in particular?

5 A. Whenever we had discussions  
6 within al-Qaeda, especially during the  
7 lessons where the al-Qaeda members talked  
8 about Saudi Arabia and the desire to  
9 overthrow the regime there, to overthrow the  
10 royal family, whenever they had that  
11 discussion, subjects like that come. And at  
12 once -- the discussion will come.

13 And so you will have a number  
14 of contributors. Prominent people will be  
15 sitting around in a circle as usual, and we  
16 will be talking about the subject.

17 And one of the subjects was a  
18 question of Al Rajhi. What are they. Are  
19 they an Islamic bank to begin with. Are they  
20 even -- what are they.

21 And so basically for them,  
22 Sulaiman al Rajhi was considered to be part  
23 of the establishment -- that's the  
24 comments -- and that he therefore was part,  
25 you know, of an imposter regime.

This Transcript Contains Confidential Material

1 Q. And that's what you remember?

2 A. Yes. That's my recollection.

3 Q. In those conversations, were  
4 there any other prominent Saudi figures who  
5 were identified as being good supporters of  
6 al-Qaeda?

7 A. No.

8 MR. SEQUEIRA: Objection.

9 Vague.

10 You may answer.

11 THE WITNESS: No.

12 With the exception of maybe  
13 they would mention a cleric here or a  
14 cleric there, you know, who were in  
15 prison at the time and still in prison  
16 to this day.

17 QUESTIONS BY MR. CARTER:

18 Q. So no one ever shared with you  
19 identities of any significant sympathetic  
20 donors from Saudi Arabia during that time  
21 period?

22 A. At that time, no.

23 Q. Was Salman al-Odah a quietist?

24 A. No, Salman al-Odah wasn't a  
25 quietist. He is what I would describe as the



1 middle tier, which is active political  
2 Salafism.

3 Q. You've testified a bit about  
4 your periods of activity at camps in Darunta.  
5 Do you recall that?

6 A. Yes, I do.

7 Q. And much of that activity  
8 involved the time periods you spent bomb  
9 making with Abu Khabab?

10 A. Yeah. Some of it, yeah.

11 Q. I believe you indicate at some  
12 point in your book that there were regularly  
13 scorpion bites that jihadists at the camps  
14 would suffer from because of the nature of  
15 the environment?

16 A. Yes.

17 Q. Given that it was an active  
18 camp for military training, am I correct that  
19 people would at times get sick or get  
20 injured?

21 A. Yes.

22 Q. And the camp was in proximity  
23 to Jalalabad.

24 Correct?

25 A. Yes.

This Transcript Contains Confidential Material

1 Q. Was there a hospital in  
2 Jalalabad where jihadists at the camp would  
3 go for treatment?

4 A. You are referring to Fatima  
5 al-Zahra Hospital?

6 Q. Yes.

7 A. Yes, there is.

8 Q. And am I correct that the  
9 Fatima al-Zahra Hospital was a place where  
10 the jihadists from the camps in Darunta could  
11 receive medical treatment?

12 A. Only in emergencies.

13 Q. Were they admitted into a  
14 separate area without paperwork?

15 A. I don't have recollection of  
16 that. Generally there is no paperwork in  
17 total. I mean, the paperwork there was  
18 minimal.

19 Q. The Fatima al-Zahra, do you  
20 recall having reported any conversations with  
21 other scholars in this area that it was also  
22 being used to support families of jihadists  
23 in the camps by falsely listing family  
24 members on the payroll of the hospital?

25 MR. SEQUEIRA: Objection to



This Transcript Contains Confidential Material

1 form.

2 You may answer.

3 THE WITNESS: I have no  
4 recollection of that.

5 QUESTIONS BY MR. CARTER:

6 Q. You don't recall telling folks  
7 at the Institute for Counterterrorism in  
8 Herzliya that there were family members of  
9 the jihadists from the camp who were on the  
10 payroll of the Fatima al-Zahra Hospital,  
11 despite not actually working there?

12 A. I don't have recollection of  
13 that conversation, and not these words  
14 exactly.

15 Q. What about, do you recall  
16 telling folks that in -- sometime in the  
17 1998, 1999 time period, Ayman al-Zawahiri,  
18 who was a doctor by training, visited the  
19 hospital and performed eye surgeries there?

20 A. I do recall that within  
21 al-Qaeda, it was well -- it was a  
22 well-established knowledge and a common  
23 knowledge that Ayman al-Zawahiri visited  
24 several hospitals around Afghanistan to  
25 perform eye surgeries. Some of them might

1 have been performed at Fatima al-Zahra  
2 Hospital.

3 Q. Do you recall also reporting  
4 that the Fatima al-Zahra Hospital was used as  
5 a vehicle to obtain dual-use materials for  
6 the bomb making exercises at Darunta?

7 A. That's not my recollections.  
8 My understanding is that it is the University  
9 of Jalalabad that was used for that function.

10 Q. You report in your book that  
11 you were working with Khabab to perfect large  
12 quantities of the very deadly TATP explosive.

13 Is that correct?

14 A. I was part of the team that was  
15 being trained on it, yes.

16 Q. So there was work going on at  
17 Darunta during this period to try and perfect  
18 the TATP explosive formula.

19 Is that right?

20 A. Yes.

21 Q. And one of the ingredients  
22 needed for purposes of making the TATP was  
23 hydrogen peroxide.

24 Right?

25 A. Yes.



This Transcript Contains Confidential Material

1 Q. And do you recall telling folks  
2 at ICT in Israel that large quantities of  
3 hydrogen peroxide were provided to the  
4 Darunta camp by the Fatima al-Zahra Hospital  
5 for purposes of making the TATP --

6 A. I have no recollection of that.  
7 I remember it was the Jalalabad university  
8 that was responsible for providing much of  
9 the TATP ingredients, including HP, which is  
10 hydrogen peroxide.

11 The medical department in  
12 Jalalabad university was responsible for  
13 that.

14 Q. So to the extent that  
15 researchers at ICT have a recollection of you  
16 specifically identifying the Fatima al-Zahra  
17 Hospital as a principal source of hydrogen  
18 peroxide for the TATP bomb making, they'd be  
19 mistaken?

20 A. Yes, they are mistaken.

21 Again, I repeat that my  
22 recollection that I was focusing mainly on  
23 Jalalabad university and the fact that Abu  
24 Khabab himself had a whole dormitory for him  
25 in Jalalabad university, next to the medical

~~This transcript contains confidential material~~

1 faculty.

2 So he was living there. That  
3 was his living headquarters. That's what I  
4 state in my book.

5 Q. And the Fatima al-Zahra  
6 Hospital, do you recall telling folks at ICT  
7 in Israel that it was associated with the  
8 IIRO?

9 A. The Fatima al-Zahra Hospital,  
10 as far as I know, was sponsored by the IIRO.

11 Q. And you're aware that the  
12 involvement of the IIRO in supporting  
13 al-Qaeda operations is a key aspect of the  
14 ongoing litigation against Al Rajhi Bank.

15 Aren't you?

16 A. I am aware of the fact that  
17 IIRO at that time was a sponsor of the  
18 hospital in question. However, the hospital  
19 in question was staffed primarily by Afghans,  
20 local Afghans.

21 Q. But to the extent that people  
22 have a very specific understanding of you  
23 reporting that Fatima al-Zahra was used to  
24 provide very large quantities of hydrogen  
25 peroxide for the TATP explosive development



This Transcript Contains Confidential Material

1 program, they're just confused about what you  
2 said.

3 Is that right?

4 A. Absolutely sure, because I  
5 already stated that Abu Khabab's residence  
6 was in Jalalabad university, not the  
7 hospital. Maybe they confused the word  
8 "hospital" with "university." Maybe language  
9 barrier or anything like that.

10 But nonetheless, it's Jalalabad  
11 university. Abu Khabab's own residence was  
12 inside the university, next to the medical  
13 faculty.

14 And furthermore, the question  
15 about Fatima al-Zahra Hospital being used to  
16 supply chemicals, I don't have any  
17 recollection of that.

18 My recollection is that it  
19 was -- when I was talking about it, it was  
20 the Jalalabad university medical faculty. I  
21 was even describing the water dam that is  
22 next door, which was built by the Soviets.

23 Q. You cite your attendance at ICT  
24 conferences as part of your qualifications in  
25 your report.

This Transcript Contains Confidential Material

1 Don't you?

2 A. Yes.

3 Q. And do you agree that ICT is a  
4 reputable institute for the study of  
5 counterterrorism?

6 A. Yes, I do.

7 Q. And so, again, at the time you  
8 had the conversations with folks at ICT about  
9 the source of the hydrogen peroxide for the  
10 TATP exercises in Darunta, had you been  
11 retained yet by Al Rajhi Bank?

12 A. Sorry?

13 Can you repeat the question?

14 Q. You did have conversations with  
15 folks at ICT about the sourcing of the  
16 hydrogen peroxide for the TATP exercises.

17 Didn't you?

18 A. Well, we were talking about the  
19 TATP evolution, so we were talking about as  
20 an expert of bomb making where -- how Abu  
21 Khabab perfected the formula and how the  
22 formula became mass-produced, which I talk  
23 about it in the book. And that's where the  
24 source of curiosity come from.

25 Q. And you were, as part of that



1 source of curiosity, discussing with them at  
2 the time the source of the hydrogen peroxide  
3 to conduct experiments on TATP on a mass  
4 scale.

5 Didn't you?

6 A. I was talking about how the  
7 hydrogen peroxide was sourced from multiple  
8 locations, including souther bazaar and haat  
9 bazaar {phonetic} in Beshara, as well as from  
10 chemists, as well as from multiple other  
11 sources, including Jalalabad university.

12 Q. So you did have a conversation  
13 with them about the sourcing of the hydrogen  
14 peroxide?

15 A. Yeah, because the conversation  
16 was revolving around TATP.

17 Q. And at the time of that  
18 conversation, you had not yet been retained  
19 by Al Rajhi Bank.

20 Right?

21 A. No.

22 MR. SEQUEIRA: Objection.

23 I'm sorry, go ahead.

24 QUESTIONS BY MR. CARTER:

25 Q. Mr. Dean, have you done any

This Transcript Contains Confidential Material

1 work prior to this for Al Rajhi Bank?

2 A. No.

3 Q. And if I recall correctly, your  
4 counsel indicated that you've billed to date  
5 in excess of \$435,000 for your work on this  
6 matter thus far?

7 A. Yes.

8 Q. When did you begin work on  
9 this?

10 A. By mid-October.

11 Q. So between mid-October and now,  
12 you've -- that would be the span of the time  
13 during which you've billed 435,000-plus  
14 dollars for work on this?

15 A. Yes.

16 Q. Were you approached about this  
17 representation of Al Rajhi Bank by anyone  
18 other than counsel for Al Rajhi Bank?

19 A. No.

20 Q. Did this consulting opportunity  
21 come through the business that you share with  
22 Mr. Cruickshank?

23 A. No.

24 Q. So this is an undertaking here  
25 individual to you?



This Transcript Contains Confidential Material

1 A. Yes, as an individual.

2 Q. So you're not sharing any of  
3 the proceeds of this work with  
4 Mr. Cruickshank?

5 A. No.

6 MR. CARTER: Why don't we take  
7 a few-minute break so that I can talk  
8 to my counsel and see if we have  
9 anything else.

10 VIDEOGRAPHER: All right.  
11 We're going to go off the record at  
12 9:47 p.m.

13 (Off the record at 9:47 p.m.)

14 VIDEOGRAPHER: Back on the  
15 record at 10:01 p.m.

16 MR. CARTER: Mr. Dean, subject  
17 to follow-up on any questions your  
18 counsel may have for you, I don't have  
19 anything further at this time.

20 Thank you.

21 MR. SEQUEIRA: Thank you,  
22 Mr. Carter. I do have a few  
23 questions.

24 First of all, I wanted to  
25 clarify and give someone an

This Transcript Contains Confidential Material

1 opportunity who had entered an  
2 appearance that didn't get a chance to  
3 do so before. I think that came up  
4 during the break.

5 Is that right?

6 MR. GRYSKIEWICZ: Yeah, that's  
7 me. Thanks.

8 I'm Jon Gryskiewicz. I'm from  
9 Lewis Baach Kaufmann Middlemiss,  
10 representing MWL, IIRO and certain  
11 other charities officials.

12 Thanks for that.

13 MR. MOHAMMEDI: Yeah. And this  
14 is Omar Mohammedi, on behalf of OTM  
15 Law, representing World Assembly of  
16 Muslim Youth.

17 MR. SEQUEIRA: Okay. Thank  
18 you.

19 CROSS-EXAMINATION

20 QUESTIONS BY MR. SEQUEIRA:

21 Q. Mr. Dean, do you recall earlier  
22 you testified that you are not at liberty to  
23 answer a few questions asked by plaintiffs'  
24 counsel?

25 A. Yes, I do.



This Transcript Contains Confidential Material

1 Q. Do you recall you were also  
2 asked why you were able to reveal certain  
3 details in your book but could not reveal  
4 other details in your book?

5 A. Yes, I do.

6 Q. Did British intelligence  
7 services review your book before it was  
8 published?

9 A. Yes, they reviewed the book  
10 extensively.

11 Q. Did British intelligence  
12 services approve the publication of your book  
13 after review?

14 A. Yes, but only after removing  
15 significant, important part of the book.

16 Q. About how much of the book did  
17 they remove?

18 A. Almost 70 pages.

19 Q. Okay. I have another question  
20 for you, Mr. Dean.

21 Do you recall that Mr. Carter  
22 earlier condemned your acceptance of  
23 compensation for your expert testimony in  
24 this case?

25 A. Yes, I do.

This Transcript Contains Confidential Material

1 Q. Mr. Carter criticized you for  
2 directly profiting off your personal  
3 experience as a jihad fighter in Bosnia.

4 Is that right?

5 A. Yeah, he did.

6 Q. Now, in 2018, you met  
7 Mr. Carter in person.

8 Is that right?

9 A. Indeed.

10 Q. Mr. Carter suggested that you  
11 work together in this very litigation with  
12 plaintiffs paying you.

13 Is that correct?

14 A. Yes.

15 Q. You discussed a retention  
16 with -- agreement with Mr. Carter, but that  
17 didn't happen?

18 A. Yeah. He was keen, but it  
19 didn't happen.

20 Q. Okay. Did Mr. Carter provide  
21 you with any confidential information about  
22 this case?

23 A. No.

24 Q. Did he provide you with any  
25 materials at all?



This Transcript Contains Confidential Material

1 A. No.

2 Q. But he identified this  
3 litigation as the basis of the retention?

4 A. Yes.

5 Q. At that time Mr. Carter  
6 expressed no qualms about paying you for your  
7 assistance, despite your activities in Bosnia  
8 or elsewhere.

9 Did he?

10 A. He was very keen, as I said.

11 MR. SEQUEIRA: No more  
12 questions.

13 REDIRECT EXAMINATION

14 QUESTIONS BY MR. CARTER:

15 Q. Yeah, Mr. Dean, I have a few  
16 follow-up conversations in light of that  
17 dialogue with counsel.

18 We met in 2018 in Israel.

19 Correct?

20 A. Yes.

21 Q. And we met at the conference  
22 hosted by ICT.

23 Right?

24 A. Indeed.

25 Q. And that was the conference

This Transcript Contains Confidential Material

1 during which you had conversations with  
2 representatives of ICT about the sourcing of  
3 the hydrogen peroxide for the TATP.

4 Isn't it?

5 A. Indeed, it is.

6 Q. And do you recall whether you  
7 made any contemporaneous notes of those  
8 conversations?

9 A. I did not take any notes of  
10 that conversation.

11 Q. And that was the first time we  
12 had ever met.

13 Correct?

14 A. Indeed, yes.

15 Q. And I had never heard of who  
16 you were until a few days before the  
17 conference when the folks at ICT offered me a  
18 chance to meet you.

19 Right?

20 MR. SEQUEIRA: Is that a  
21 question for Mr. Dean?

22 QUESTIONS BY MR. CARTER:

23 Q. Do you know whether I had ever  
24 heard of you before that time?

25 A. Only you can answer that



This Transcript Contains Confidential Material

1 question.

2 Q. And during the conference, we  
3 had total interactions lasting probably less  
4 than a few hours.

5 Right?

6 A. Yes.

7 Q. And afterwards, there was  
8 e-mail communications between us about the  
9 possible retention of you as an expert.

10 Right?

11 As a consultant. Sorry, as an  
12 consultant.

13 Right?

14 A. Yeah. Yes.

15 Q. And I reached out on a notional  
16 basis to find out what you would charge.

17 Do you recall that?

18 A. Yes, I do.

19 Q. And you sent me a quote.

20 Correct?

21 A. Yes.

22 Q. And I never corresponded with  
23 you ever again, did I?

24 A. After that, no. There was a  
25 phone call from Yoni, and he explained

This Transcript Contains Confidential Material

1 everything to me.

2 Q. Well, Yoni is a different  
3 person.

4 I never had any communication  
5 with you.

6 Correct?

7 A. No.

8 He claimed to be talking on  
9 your behalf.

10 Q. You have no actual knowledge of  
11 the reasons that I declined to engage in any  
12 consulting relationship with you.

13 Do you?

14 A. No.

15 MR. CARTER: That's all.

16 MR. SEQUEIRA: Well, I'd like  
17 to thank the court reporters and the  
18 videographer.

19 And with that, I think this  
20 deposition is concluded.

21 MR. SALERNO: Just one minute,  
22 please. This is Peter Salerno on Amy  
23 Rothstein's login, as you can see.

24 We haven't been trying to be  
25 coy about appearing, but we've been in



This Transcript Contains Confidential Material

1 and out. But at the time you asked  
2 for appearances, my microphone didn't  
3 work.

4 So anyway, for purposes of  
5 appearance, Peter Salerno and Amy  
6 Rothstein of Salerno & Rothstein,  
7 representing Yassin Kadi, have been in  
8 and out of this deposition.

9 MR. SEQUEIRA: Thank you.  
10 Goodbye.

11 VIDEOGRAPHER: All right. This  
12 ends today's deposition. We're going  
13 to go off the record at 10:07 p.m.  
14 (Deposition concluded at 10:07 p.m.)

15 - - - - -

16

17

18

19

20

21

22

23

24

25

This Transcript Contains Confidential Material

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

CERTIFICATE

I, CARRIE A. CAMPBELL, Registered Diplomat Reporter, Certified Realtime Reporter and Certified Shorthand Reporter, do hereby certify that prior to the commencement of the examination, Aimen Dean, was duly sworn by me to testify to the truth, the whole truth and nothing but the truth.

I DO FURTHER CERTIFY that the foregoing is a verbatim transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth, to the best of my ability.

I DO FURTHER CERTIFY that I am neither a relative nor employee nor attorney nor counsel of any of the parties to this action, and that I am neither a relative nor employee of such attorney or counsel, and that I am not financially interested in the action.

*Carrie A. Campbell*

---

CARRIE A. CAMPBELL,  
NCRA Registered Diplomat Reporter  
Certified Realtime Reporter  
California Certified Shorthand  
Reporter #13921  
Missouri Certified Court Reporter #859  
Illinois Certified Shorthand Reporter  
#084-004229  
Texas Certified Shorthand Reporter #9328  
Kansas Certified Court Reporter #1715  
New Jersey Certified Court Reporter  
#30XI00242600  
Louisiana Certified Court Reporter  
#2021012  
Notary Public  
Dated: February 23, 2024



This Transcript Contains Confidential Material

1 INSTRUCTIONS TO WITNESS

2

3 Please read your deposition over  
4 carefully and make any necessary corrections.  
5 You should state the reason in the  
6 appropriate space on the errata sheet for any  
7 corrections that are made.

8 After doing so, please sign the  
9 errata sheet and date it. You are signing  
10 same subject to the changes you have noted on  
11 the errata sheet, which will be attached to  
12 your deposition.

13 It is imperative that you return  
14 the original errata sheet to the deposing  
15 attorney within thirty (30) days of receipt  
16 of the deposition transcript by you. If you  
17 fail to do so, the deposition transcript may  
18 be deemed to be accurate and may be used in  
19 court.

20

21

22

23

24

25

This Transcript Contains Confidential Material

ACKNOWLEDGMENT OF DEPONENT

I, \_\_\_\_\_, do  
hereby certify that I have read the foregoing  
pages and that the same is a correct  
transcription of the answers given by me to  
the questions therein propounded, except for  
the corrections or changes in form or  
substance, if any, noted in the attached  
Errata Sheet.

\_\_\_\_\_  
Aimen Dean

\_\_\_\_\_  
DATE

Subscribed and sworn to before me this  
\_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

My commission expires: \_\_\_\_\_

Notary Public



This Transcript Contains Confidential Material

|    |       |       |        |
|----|-------|-------|--------|
| 1  |       |       | -----  |
| 2  |       |       | ERRATA |
| 3  |       |       | -----  |
| 4  | PAGE  | LINE  | CHANGE |
| 5  | _____ | _____ | _____  |
| 6  | _____ | _____ | _____  |
| 7  | _____ | _____ | _____  |
| 8  | _____ | _____ | _____  |
| 9  | _____ | _____ | _____  |
| 10 | _____ | _____ | _____  |
| 11 | _____ | _____ | _____  |
| 12 | _____ | _____ | _____  |
| 13 | _____ | _____ | _____  |
| 14 | _____ | _____ | _____  |
| 15 | _____ | _____ | _____  |
| 16 | _____ | _____ | _____  |
| 17 | _____ | _____ | _____  |
| 18 | _____ | _____ | _____  |
| 19 | _____ | _____ | _____  |
| 20 | _____ | _____ | _____  |
| 21 | _____ | _____ | _____  |
| 22 | _____ | _____ | _____  |
| 23 | _____ | _____ | _____  |
| 24 | _____ | _____ | _____  |
| 25 |       |       |        |

This Transcript Contains Confidential Material

|    |                |       |       |
|----|----------------|-------|-------|
| 1  | -----          |       |       |
| 2  | LAWYER'S NOTES |       |       |
| 3  | PAGE           | LINE  |       |
| 4  | _____          | _____ | _____ |
| 5  | _____          | _____ | _____ |
| 6  | _____          | _____ | _____ |
| 7  | _____          | _____ | _____ |
| 8  | _____          | _____ | _____ |
| 9  | _____          | _____ | _____ |
| 10 | _____          | _____ | _____ |
| 11 | _____          | _____ | _____ |
| 12 | _____          | _____ | _____ |
| 13 | _____          | _____ | _____ |
| 14 | _____          | _____ | _____ |
| 15 | _____          | _____ | _____ |
| 16 | _____          | _____ | _____ |
| 17 | _____          | _____ | _____ |
| 18 | _____          | _____ | _____ |
| 19 | _____          | _____ | _____ |
| 20 | _____          | _____ | _____ |
| 21 | _____          | _____ | _____ |
| 22 | _____          | _____ | _____ |
| 23 | _____          | _____ | _____ |
| 24 | _____          | _____ | _____ |
| 25 |                |       |       |



## THIS TRANSCRIPT CONTAINS CONFIDENTIAL MATERIAL

**ERRATA**  
**GOLKOW LITIGATION SERVICES**  
**ONE LIBERTY PLACE**  
**1650 MARKET STREET, SUITE 5150**  
**PHILADELPHIA, PA 19103**  
**877-370-3377**

**NAME OF CASE:** *In Re: Terrorist Attacks On September 11, 2001*, No. 03-md-1570 (S.D.N.Y.)

**DATE OF DEPOSITION:** February 8, 2024

**NAME OF DEPONENT:** Aimen Dean

| Page | Line(s) | Change                                      | Reason               |
|------|---------|---|----------------------|
| 5    | 9       | Change "Mya Klagger" to "Maya Kliger"       | Transcription error. |
| 10   | 5       | Change "Mya Klagger" to "Maya Kliger"       | Transcription error. |
| 10   | 10      | Change "Abdulrahman" to "Abdulrhman"        | Transcription error  |
| 10   | 14      | Remove "off" before "on the record"         | Counsel misspoke.    |
| 17   | 3       | Add "a" before "counter-radicalism"         | Clarification.       |
| 18   | 11      | Add "a" before "PowerPoint"                 | Clarification.       |
| 23   | 10      | Change "Willatat" to "Willayat"             | Transcription error. |
| 23   | 14      | Change "ideological" to "ideological"       | Misspelling          |
| 24   | 4       | Change "ideological" to "ideological"       | Misspelling          |
| 24   | 5       | Change "ideological" to "ideological"       | Misspelling          |
| 24   | 16      | Change "needed" to "needs a little bit of"  | Clarification        |
| 24   | 17      | Take out "the"                              | Clarification        |
| 24   | 22      | Change "ideological" to "ideological"       | Misspelling          |
| 24   | 24      | Add "conflict zones"                        | Clarification        |
| 25   | 7       | Capitalize "Quietism"                       | Transcription error. |
| 25   | 11      | Capitalize "Quietism"                       | Transcription error. |
| 26   | 8       | Capitalize "Quietism"                       | Transcription error. |
| 26   | 10      | Capitalize "Quietism"                       | Transcription error. |
| 26   | 16      | Capitalize "Quietism"                       | Transcription error. |
| 26   | 20      | Capitalize "Quietism"                       | Transcription error. |
| 26   | 23      | Capitalize "Quietism"                       | Transcription error. |
| 26   | 24      | Capitalize "Quietism"                       | Transcription error. |
| 25   | 24      | Change "McCant" to "McCants"                | Transcription error. |
| 27   | 7       | Change "Koran" to "Quran"                   | Preferred spelling.  |
| 30   | 12      | Change "Dehees" to "the Hadith"             | Clarification        |
| 31   | 14      | Change "nation, state" to "nation-state"    | Transcription error. |
| 36   | 8       | Change "thelothism" to "Salafism"           | Transcription error. |
| 36   | 9       | Change "thelothism" to "Salafism"           | Transcription error. |
| 36   | 22      | Change "not Muslims" to "non-Muslims"       | Transcription error. |
| 42   | 4       | Take out ","                                | Transcription error. |
| 48   | 19      | Add "repeat the question" after "Can you"   | Transcription error. |
| 51   | 22      | Change "objection" to "objective"           | Clarification.       |
| 53   | 17      | Change "Lejon" to "Lajnat"                  | Transcription error. |
| 57   | 10      | Change "Unis Hall's" to "Younis Khalis"     | Transcription error. |
| 68   | 13      | Change "Settlebe" to "Sarawbi"              | Transcription error. |
| 68   | 14      | Change "Nodrick {phonetic}?" to "Murad Beg" | Transcription error  |



## THIS TRANSCRIPT CONTAINS CONFIDENTIAL MATERIAL

| Page | Line(s) | Change   | Reason                                 |
|------|---------|--|--|
| 70   | 2-3     | Change "this is a — an organization without any merit" to "this is not like an organization without any professionalism."                                | Clarification.                         |
| 70   | 6       | Change "idealogical" to "ideological"  | Misspelling                            |
| 76   | 21      | Change "Yazid, Rahim al-Har Seyasa" to "Al-Yazid, Abu Al Khair Al-Masri, known as Ibrahim Seyassa"   | Transcription error.                   |
| 76   | 23      | Change "Abu Hafs al-Masri" to "Abu al Hareth al Masri"   | Transcription error.                   |
| 77   | 3       | Change "Abu Hafs al-Masri" to "Abu al Hareth al Masri"   | Transcription error.                   |
| 77   | 6       | Change "Abu Hafs" to "Abu Hareth"  | Transcription error                    |
| 77   | 9       | Change "Abu Harras" to "Abu Hareth"  | Transcription error.                   |
| 80   | 2       | Change "he wasn't a farouk" to "he was in Al Farouq Camp, in Khost Province"   | Transcription error and clarification. |
| 83   | 20      | Change "Because I was told by to go" to "Because I was told by Al Qaeda to go"   | Clarification                          |
| 87   | 12      | Change "than" to ",then"   | Punctuation and transcription error.   |
| 91   | 9       | Add semi-colon after "others"  | Punctuation.                           |
| 100  | 14      | Change "incident" to "event"   | Transcription error.                   |
| 103  | 21      | Change "plaintiff's" to "plaintiffs"   | Transcription error.                   |
| 104  | 21-22   | Delete "(Pasley Exhibit 3 previously marked and referenced.)"  | Transcription error.                   |
| 106  | 5       | Change "CIA report" to "CIA reports"   | Transcription error.                   |
| 108  | 7       | Add "was" before "trampled"  | Transcription error.                   |
| 114  | 17      | Change "city" to "GCC"   | Transcription error.                   |
| 122  | 14      | Change "have" to "has"   | Witness misspoke.                      |
| 127  | 20      | Change "battle" to "battles"   | Transcription error.                   |
| 131  | 17      | Change "This" to "That"  | Transcription error.                   |
| 131  | 19      | Change "them" to "him"   | Transcription error.                   |
| 134  | 21      | Change "that's" to "that isn't"  | Transcription error.                   |
| 145  | 8       | Change "it lasted" to "it had lasted"  | Transcription error.                   |
| 146  | 23      | Change "Saeed" to "Zaid"   | Transcription error.                   |
| 146  | 24      | Change "Saeed" to "Zaid"   | Transcription error.                   |
| 146  | 25      | Change "Saeed" to "Zaid"   | Transcription error.                   |
| 147  | 16      | Change "No, I don't" to "No, I didn't report any interactions with him in my book, although I did interact with him many times."                         | Clarification.                         |
| 147  | 22      | Change "No, I don't" to "No, I didn't"   | Clarification.                         |
| 151  | 11      | Change "Yes, I'm aware of that" to "I'm aware Mr. Cruickshank cites to several documents in his writings, but I am not aware of that specific document." | Clarification.                         |
| 152  | 4-5     | Change "he view me of more of an authority on the subject than he does" to "he views me as more of an authority on the subject than he is"               | Clarification.                         |
| 152  | 13      | Change "tend" to "tends"   | Clarification.                         |
| 153  | 25      | Change "compel" to "compels"   | Clarification.                         |
| 154  | 2       | Add "on" before "occasions"  | Clarification.                         |



## THIS TRANSCRIPT CONTAINS CONFIDENTIAL MATERIAL

| Page | Line(s)    | Change   | Reason                                 |
|------|------------|--|--|
| 155  | 16         | Add "and Abu Hafs" before "but also"   | Transcription error.                   |
| 159  | 8          | Change "who deem" to "who've been"   | Transcription error.                   |
| 159  | 18         | Add "an" before "incredibly"   | Clarification.                         |
| 161  | 13         | Add "a" before "subject"   | Clarification.                         |
| 165  | 4          | Change "Karashi" to "Quraishi"   | Transcription error.                   |
| 165  | 7          | Change "Karashi" to "Quraishi"   | Transcription error.                   |
| 166  | 18         | Change "on" to "And"   | Transcription error.                   |
| 176  | 10         | Change "where" to "were"   | Clarification.                         |
| 189  | 13         | Add "Al Mujil," before "I imagine"   | Clarification.                         |
| 195  | 16         | Change "the fact that — is that who may be" to "the fact that — the document says "who may be""  | Clarification.                         |
| 197  | 9          | Change "Miner's" to "Winer's"  | Transcription error.                   |
| 198  | 7          | Change "ideological" to "ideological"  | Misspelling.                           |
| 200  | 5          | Change "collecting" to "selecting"   | Transcription error.                   |
| 202  | 14         | Change "the Tribunal" to "Mr. Dean's report"   | Clarification.                         |
| 204  | 20, 21, 24 | Change "Gama al-Islamiya" to "Gama'a al-Islamiyya"   | Misspelling.                           |
| 205  | 6          | Change "were" to "was"   | Clarification.                         |
| 205  | 15-16      | Change "Gama al-Islamiya" to "Gama'a al-Islamiyya"   | Misspelling.                           |
| 207  | 6          | Change "Was" to "It was"   | Clarification.                         |
| 207  | 15         | Change "ideologically" to "ideologically"  | Misspelling.                           |
| 209  | 16-17      | Remove "I have a read"   | Clarification.                         |
| 209  | 20         | Change "23 of this government" to "23 of this document"  | Counsel misspoke.                      |
| 210  | 13         | Change "the bin Laden" to "of bin Laden"   | Transcription error.                   |
| 210  | 22         | Change "was" to "were"   | Clarification.                         |
| 211  | 3-6        | Change "So the fact of the matter as that the document is quoting Abu Zubair al-Madani as the cousin of bin Laden is totally inaccurate" to "So the fact of the matter is that the document quoting Abu Zubair al-Madani as the cousin of bin Laden is totally inaccurate" | Clarification and transcription error. |
| 211  | 8          | Change "show that what" to "show what"   | Clarification.                         |
| 212  | 1          | Change "Sated that" to "He stated that"  | Clarification.                         |
| 212  | 9          | Change "Halawa" to "Hown"  | Transcription error.                   |
| 213  | 9          | Change "ally" to "due"   | Transcription error.                   |
| 213  | 10         | Change "ally" to "due"   | Transcription error.                   |
| 214  | 17-18      | Change "and the focus on the second war" to "in the Caucuses in"   | Transcription error.                   |
| 222  | 18         | Change "do make sense" to "makes sense"  | Clarification.                         |
| 227  | 15         | Change "US conflict" to "UN Security Council."   | Transcription error.                   |
| 236  | 21         | Change "and Chechnya" to "in Chechnya"   | Transcription error.                   |
| 239  | 21         | Change "unreliable" to "not as reliable"   | Clarification.                         |
| 241  | 8          | Change "enable" to "enables"   | Clarification.                         |
| 245  | 11         | Change "happen" to "that happens"  | Clarification.                         |
| 245  | 14         | Change "and other things, similar" to "and other similar things."  | Clarification.                         |
| 245  | 15-19      | Change "whatever that is allocated to the Chechen rebels would be done through half cash, and the other half is in   | Clarification.                         |



## THIS TRANSCRIPT CONTAINS CONFIDENTIAL MATERIAL

| Page | Line(s) | Change  | Reason                                 |
|------|---------|---|--|
|      |         | kind, such as medicine and other items and equipments” to “whatever was allocated to the Chechen rebels would be done through half cash, and the other half was in kind, such as medicine and other items and equipment.” |  |
| 249  | 17      | Change “for US” to “from USAID”   | Transcription error.                   |
| 249  | 18      | Change “go” to “going”  | Transcription error.                   |
| 249  | 20      | Change “US aid” to “USAID”  | Transcription error.                   |
| 250  | 15      | Change “unlikely” to “likely”   | Clarification.                         |
| 253  | 20      | Change “estimates” to “estimate”  | Transcription error.                   |
| 255  | 6       | Change “demand” to “source”   | Clarification.                         |
| 255  | 10      | Change “jijiz” to “Tajhiz”  | Transcription error.                   |
| 255  | 11      | Change “hirazi {phonetic}” to “al-Ghazi”  | Transcription error.                   |
| 255  | 11-12   | Change “Jijiz hirazi” to “Tajhiz al-Ghazi”  | Transcription error.                   |
| 260  | 23      | Change “careers” to “couriers”  | Transcription error.                   |
| 260  | 24      | Change “hawala dolls” to “hawaladars”   | Transcription error.                   |
| 263  | 12      | Add “ — ”   | Clarification.                         |
| 264  | 4       | Change “Abu Nasr al-Luchi {phonetic}” to “Abu Nasir al-Belushi”   | Transcription error.                   |
| 264  | 6       | Include “had” before “done it”  | Clarification.                         |
| 275  | 15      | Change “80s” to “1990s and early 2000s”   | Clarification.                         |
| 279  | 4       | Take out “^”  | Transcription error.                   |
| 283  | 12      | Change “part” to “pattern”  | Transcription error.                   |
| 286  | 22      | Change “did” to “was”   | Clarification                          |
| 286  | 24      | Change “charity, that was solid” to “charities solid at that time”  | Clarification                          |
| 287  | 5       | Change “is” to “was”  | Transcription error.                   |
| 289  | 19      | Add “ — ”   | Clarification.                         |
| 292  | 14      | Change “doubt” to “don’t write”   | Transcription error and Clarification. |
| 293  | 17      | Change “has” to “have”  | Clarification.                         |
| 299  | 19      | Change “unaware” to “not aware”   | Transcription error.                   |
| 299  | 20      | Add “did”   | Transcription error.                   |
| 299  | 21      | Change “Saudi’s” to “Saudis”  | Punctuation.                           |
| 299  | 21      | Change “released that” to “release what —”  | Transcription error and clarification. |
| 299  | 21      | Change “did — dependent” to “depended”  | Transcription error.                   |
| 299  | 24      | Remove “have”   | Clarification.                         |
| 300  | 4       | Capitalize “Quietist”   | Transcription error.                   |
| 300  | 20      | Add “an” before “analogy”   | Transcription error.                   |
| 301  | 8       | Add “ — ”   | Clarification.                         |
| 301  | 12      | Change “an” to “on”   | Transcription error.                   |
| 303  | 12      | Capitalize “Quietist”   | Transcription error.                   |
| 303  | 16      | Change “member” to “members”  | Transcription error.                   |
| 303  | 24      | Capitalize “Quietist”   | Transcription error.                   |
| 304  | 25      | Change “impostor” to “apostate”   | Transcription error.                   |



## THIS TRANSCRIPT CONTAINS CONFIDENTIAL MATERIAL

| Page | Line(s) | Change  | Reason               |
|------|---------|---|----------------------|
| 305  | 23      | Capitalize "Quietist"   | Transcription error. |
| 305  | 25      | Capitalize "Quietist"   | Transcription error. |
| 312  | 5       | Add "own" before "residence"                                      | Clarification        |
| 314  | 8       | Change "souther bazaar" to "Saddar Bazzar" and "haat" to "Khyber" | Transcription error. |
| 314  | 9       | Change "Beshara" to "Peshawar"                                    | Transcription error. |

## ACKNOWLEDGEMENT OF DEPONENT

I, Aimen Dean, do hereby certify that I have read the pages in the transcript of my deposition on February 8, in the matter *In Re: Terrorist Attacks On September 11, 2001*, No. 03-md-1570 (S.D.N.Y.), and that the transcript is a correct transcription of the answers given by me to the questions therein propounded, subject to the corrections and changes in form or substance noted in this Errata.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed April 11, 2024

